



*Draft Environmental Assessment
for the*

**Walter E. Hoffman
United States Courthouse
Proposed Courthouse Annex
Norfolk, Virginia**



Responsible Agency:

**General Services Administration
Region 3**

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**ENVIRONMENTAL ASSESSMENT (EA)
FOR THE PROPOSED
UNITED STATES COURTHOUSE ANNEX
Norfolk, Virginia**

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ABSTRACT:

This document constitutes an Environmental Assessment prepared pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended. Probable environmental impacts and mitigation measures have been identified and comments addressed for alternatives to the site selection and construction of the Walter E. Hoffman Courthouse Proposed Courthouse Annex in Norfolk, Virginia. The project calls for the design and construction of an approximately 177,000 gross square foot building, plus 71 indoor parking spaces, and a sallyport for prisoner movement. The new facility would consolidate the District Court, court units and court-related agencies into a courthouse facility that will accommodate the 30-year space requirements of the Courts and court-related agencies.

Construction of the proposed Courthouse Annex in Norfolk, Virginia is analyzed in this EA. In addition, as required by NEPA, the No-Action Alternative is studied in detail.

EXECUTIVE SUMMARY

PROJECT BACKGROUND

The U.S. General Services Administration (GSA) is proposing to construct an annex to the existing Walter E. Hoffman U.S. Courthouse in Norfolk, Virginia (Figure 1-1). The project calls for the design and construction of an approximately 177,000 gross square foot (gsf) building, plus 71 indoor parking spaces, and a sallyport for prisoner movement. The new facility would consolidate the District Court, court units, and court-related agencies into a courthouse facility that will accommodate the 30-year space requirements of the Courts and court-related agencies.

At present, the District Court has nine judges utilizing seven courtrooms. Bankruptcy court has two judges and two courtrooms. Of the nine total courtrooms, several do not meet the minimum size requirements of the *U.S. Courts Design Guide*. Five of the nine courtrooms are assigned to district judges, two to magistrate judges and two to bankruptcy judges.

Federal Court Space in Norfolk

The existing Walter E. Hoffman United States Courthouse, located at 600 Granby Street, was constructed between 1932 and 1934 to house the U.S. Post Office, the U.S. District Court and all federal agencies in Norfolk. In 1984, the building was listed in the National Register of Historic Places. It contains a gross building area of 216,790 gsf and 130,745 usable square feet (usf) of floor space. The building currently houses the U.S. District Courts and Clerk's Office, the U.S. Bankruptcy Court and Clerk's Office, U.S. Probation Office, Circuit Library, U.S. Marshals Service (USMS); and the U.S. Attorney Suite (Trial/Witness Preparation and Grand Jury Coordinator only).

PURPOSE OF THE PROPOSED ACTION

The purpose of the proposed action is to create a courthouse facility that will accommodate the 30-year space requirements of the Courts and court-related agencies; maintain the court presence in Norfolk; adapt and reuse the existing Hoffman Courthouse building; and create a court complex that optimizes security, circulation, and operations.

The action consists of designing the new building to accommodate the security requirements of the U.S. District Court and would include three new District courtrooms, one new Magistrate courtroom, one new Bankruptcy courtroom and program space for the U.S. Marshals Service, U.S. Probation Office, U.S. Pretrial Services Office, U.S. Attorneys Office, and U.S. Trustees Office. The 71 indoor parking spaces would be provided for Judges, the U.S. Marshals Service, and court related personnel and handicapped employees. Upon completion of construction, the courthouse and annex

would provide 14 courtrooms for 5 District Judges, 3 Senior District Judges, 3 Magistrate Judges and 3 Bankruptcy Judges.

NEED FOR THE PROPOSED ACTION

The Courthouse Annex is needed to provide for increased security; and consolidate the operation of the courts and court related services thereby lowering costs and increasing operating efficiency. The existing Hoffman Courthouse does not provide adequate security. The courthouse represents an adaptation of a building designed in a different era to the security concerns of today's courthouses. At the time of its completion in 1934, there was little provision for the separation of circulation between public, private and secure uses other than in the area of the building originally designed for use by the U.S. Post Office. The original mixed use of the building, with the Post Office on the ground floor and the courts and federal agencies above, was the defining criterion for the circulation system. The most pressing need today is for a secure corridor system for prisoner movements. At present, the public, jurors, trial participants and judicial officers share the same elevators and hallways. The U.S. Marshals Service (USMS) must unload prisoners in the north parking lot used for judges parking and walk them directly into USMS space.

The existing Hoffman Courthouse contains approximately 120,000 net occupiable square feet (NOSF) (Davidson, 2006). There is an estimated existing space shortfall of approximately 99,000 occupiable square feet (OSF). By 2015, space projections for the U.S. Courts and court-related agencies in Norfolk more than double to approximately 229,500 NOSF.

ALTERNATIVES

Six alternatives are analyzed in detail in this EA: the No-Action Alternative, the Southern Annex Alternative, the Northern Annex Alternative, the Western Annex Alternative, the Eastern Annex Alternative, and a Tower Alternative.

NO-ACTION ALTERNATIVE

The No-Action Alternative in this instance is defined as a decision by GSA not to proceed with the construction of the proposed annex to the U.S. Courthouse. Selection of this alternative would further exacerbate the growing backlog of cases within the U.S. District Court for the Eastern District of Virginia in general, and in the Norfolk Division specifically.

Although the No-Action Alternative would not meet the purpose and need of the project, as part of NEPA analysis, the environmental impacts of the No-Action Alternative must be considered. This analysis serves as a baseline for comparison of other alternatives.

SOUTHERN ANNEX ALTERNATIVE

The Southern Annex Site is located south of the existing courthouse and is bounded by Bute Street to the north, Granby Street to the west, Monticello Avenue to the east, and Charlotte Street to the south. Under this alternative, a new annex would be built on the Southern Annex Site and attached to the existing courthouse. A 6,000 usf addition on the north side of the existing courthouse would also be constructed in place of an existing small parking lot. Use of this site would require the closing of Bute Street between Granby and Monticello to allow for the connection of the annex to the existing courthouse. In addition, two lanes of Monticello Avenue would be closed. Under this alternative, the Lofts at 500 Granby, formerly the Showcase Building, which occupies the south site along with a small plaza, would be acquired. The approximate cost of expansion and renovation of the courthouse under this alternative is \$144,947,315.

WESTERN ANNEX ALTERNATIVE

The Western Annex Site is located immediately west of the courthouse in an area bounded by Brambleton Avenue to the north, Bute Street to the south, Granby Street to the east, and an imaginary north-south line situated about 300 feet west of Granby Street, just east of the existing telephone company building. Use of this site for the development of an annex would require the closing of West York Street between approximately the telephone company building and Granby Street. Under this alternative, the courthouse annex would be connected to the existing courthouse by a tunnel underneath Granby Street. The 2.4-acre site (approximate) is currently unimproved. Ground was recently broken on this site for a new 31-story condominium tower, Granby Tower. The approximate cost of expansion and renovation of the courthouse under this alternative is \$180,928,120.

NORTHERN ANNEX ALTERNATIVE

The Northern Annex Site is bounded by Stark Street to the north, Brambleton Avenue to the south, Monticello Avenue to the east, and Granby Street to the west. Under this alternative, the courthouse annex would be connected to the existing courthouse by either a concourse underneath or a bridge over Brambleton Avenue. The bridge connection, if selected would be over 200 feet in length, and there would not be a connection on every floor of the existing courthouse. The approximate cost of expansion and renovation of the courthouse under this alternative is \$162,676,580.

EASTERN ANNEX ALTERNATIVE

The Eastern Annex Site is bounded by Brambleton Avenue to the north, Bute Street to the south, the Norfolk Scope Arena to the east, and the Walter E. Hoffman Courthouse to the west. Use of this site for the development of an annex would require the closing of Monticello Avenue between Bute Street and Brambleton Avenue. Under this alternative, a new annex would be built on the Site and attached to the existing courthouse. Approximate cost of expansion and renovation of the courthouse under this alternative is \$147,825,715.

TOWER ANNEX ALTERNATIVE

The Tower Annex Alternative would be built within the existing courtyard of the Walter E. Hoffman United States Courthouse and would extend seven floors above the current height of the courthouse. Use of this site for the development of an annex would require the closing of two lanes of Monticello Avenue between Bute Street and Brambleton Avenue; and Bute Street between Monticello Avenue and Granby Street. The approximate cost of expansion and renovation of the courthouse under this alternative is \$166,226,970.

IMPACTS OF THE PROPOSED ACTION

Chapter III, Affected Environment, describes the natural, social, cultural, and manmade environment of the project area. Chapter IV addresses the potential for impacts of constructing the proposed U.S. Courthouse on each of the build alternatives. The No Action Alternative is also included to provide a baseline for the comparison of impacts.

Resources were analyzed to identify direct impacts, indirect impacts, and cumulative effects. Direct impacts are caused by the action and occur at the same time and place. Indirect impacts are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Cumulative impacts are the impacts on the environment, that result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7– 1508.8).

Potential impacts are described in terms of:

- Intensity - are the effects negligible, minor, moderate, or major?
- Type - are the effects beneficial or adverse?
- Duration - are the effects short-term, lasting through construction or less than one year, or long-term, lasting more than one year?
- Context - are the effects site-specific, local, or even regional?

The thresholds of change for the intensity of impacts are defined as follows:

- negligible, when the impact is localized and not measurable or at the lowest level of detection;
- minor, when the impact is localized and slight but detectable;
- moderate, when the impact is readily apparent and appreciable; or
- major, when the impact is severely adverse and highly noticeable.

This section also includes information on potential measures the government could take to mitigate for impacts from the proposed action at the end of each impact topic. Final decisions on mitigation measures will be included with the final site selection.

For each of the alternatives considered in this Environmental Assessment, every attempt has been made to assess the “worst case” or greatest impacts that could occur. Because site layouts have not been prepared for the build alternatives shown in Chapter II, Alternatives Considered, impacts were analyzed assuming the entire area within the alternatives would be disturbed. GSA will continue to look for ways to minimize and mitigate impacts during final design and construction.

Following is a summary of impacts identified in the Environmental Assessment.

FLOODPLAINS AND FLOODING

The Southern, Western, Eastern, and Tower Annex Alternatives

Flooding conditions would not be affected by the proposed action. The Southern, Western, Eastern, and Tower Annex sites are located outside the limits of both the 500- and 100-year flood hazard areas. No direct impacts are anticipated. In the event of a 100-year or 500-year flood, access to all of the sites would be disrupted. Flash flooding may also temporarily impede access via commuter routes to all sites and the City in general. Therefore, there may be a minor, indirect, adverse impact on court operations from floods. No cumulative impacts to flood levels or flood-related damage are anticipated.

The Northern Annex Alternative

Under the Northern Annex Alternative, the proposed Courthouse Annex would be developed to meet the U.S. Court’s infrastructure requirements. Approximately 75 percent of the Northern Annex Alternative is located within Flood Zone B (an

area within the 500- year floodplain or an area subject to a 0.2 percent chance of flooding in a given year). A small portion of the site is within Flood Zone A4, or the 100- year floodplain. Zone A is a Special Flood Hazard Area inundated by the 100-year flood, determined by detailed methods, with base flood elevations shown. According to GSA’s Floodplain Management Desk Guide, critical actions (such as the proposed Courthouse Annex) cannot be located in either the 100- or 500-year floodplain unless there is no practicable alternative. Construction on the Northern Annex Alternative would have a minor, adverse, long-term, direct impact on the floodplain.

LAND USE PLANNING AND ZONING

Development of the Southern Annex Site would replace an early twentieth-century/historic residential building as well as a small public plaza. Development of the Western Annex Site would replace an unimproved lot currently under construction. Development of the Northern Annex Site would replace a Greyhound Bus terminal, Sheriff’s satellite office, a vacant diner, and a former Western Union building. The development of the Eastern Annex Site would involve closing Monticello Avenue between Bute Street and Brambleton Avenue.

Implementation of the Tower Annex Alternative would involve building the annex in the courtyard portion of the existing courthouse. The tower would extend seven floors above the existing courthouse. Under each alternative, the proposed Courthouse Annex's design would be sensitive to the existing courthouse and its surrounding environs.

Impacts to on-site land use at the Southern, Western, and Northern Annex sites would occur by virtue of the fact that existing occupants of the selected site would be displaced by the proposed action and the current land use would change to that of a courthouse. Off-site impacts to surrounding land uses also warrant attention.

The Southern, Western, Tower, and Eastern Annex sites are depicted in the Downtown Plan as mixed-use development, with a very small portion of the Eastern Annex site depicted as Educational, Recreational, Cultural, Open Space, and Environmentally Sensitive. The Northern Annex Alternative is depicted as Commercial/Office Use. A negligible adverse impact to land use would occur under the Eastern Annex Alternative in that the small portion of the site would be changed from a cultural use to an institutional use. Otherwise, no direct, indirect, or cumulative impacts to land use are anticipated.

Federal actions such as construction of the proposed U.S. Courthouse are not subject to local land use and zoning regulations. However, in accordance with the Public Buildings

Administrative Act (40 USC 3312), GSA will consider the requirements of local laws. In addition, GSA will provide the local authorities the opportunity to review the project for zoning compliance, building design code compliance, and construction inspection for code compliance (GSA, 1994).

The Southern Annex, Western Annex, and Tower Annex Sites are located in Norfolk's Freemason/Granby Conservation and Mixed Use District (D-3 zone). Government buildings such as the proposed annex are permitted in this district as of right.

The Northern Annex Site is located in Norfolk's Downtown Cultural and Convention Center District (D-4 zone). Government buildings such as the proposed annex are permitted in this district as of right. Eastern Annex Site is located in Norfolk's Freemason/Granby Conservation and Mixed Use District (D-3 zone) and the Downtown Cultural and Convention Center District (D-4 zone).

Government buildings such as the proposed annex are permitted in this district as of right. No changes in zoning would occur under any of the build alternatives. Consequently, no direct, indirect, or cumulative impacts are anticipated.

POPULATION AND HOUSING

The proposed action is not expected to impact the Norfolk housing market, based on the assumption that the facility would be staffed primarily by individuals presently working at the Walter E. Hoffman U.S. Courthouse and those transferred from two facilities located less than

0.5 miles from the courthouse. Any change in demand for housing in the region as a result of the proposed action is expected to be negligible and, when distributed over both the purchase and rental markets throughout the metropolitan area, is not viewed as a significant adverse impact.

Norfolk's housing inventory in 2000 consisted of 94,416 total housing units. Of the total units, 86,210 (91.3 percent) were occupied and 8,206 (8.7 percent) were vacant. Of the occupied units, 39,238 (45.5 percent) were owner-occupied and 46,972 (54.5 percent) were renter-occupied. The average number of persons in an owner-occupied housing unit was 2.5 persons while 2.4 persons per unit was the average number of occupants in a renter-occupied unit.

Southern Annex Alternative

The Southern Annex Alternative is currently occupied by a historic, five story, condominium building containing 24 units and the sports bar, Baxter's. All occupied units would be relocated as a result of the proposed action and Baxter's would be displaced.

Western Annex Alternative

The Western Annex Alternative is currently a vacant lot. Ground was recently broken on-site for a proposed 31-story Condo Tower. Approximately 302 units are planned for this building. If condominiums were occupied prior to site acquisition for the proposed Courthouse Annex, all occupants would be required to relocate as a result of the proposed action. According to 2000 Census Data, approximately 8,206 housing units in the City of Norfolk were vacant, which would be sufficient to accommodate any necessary relocations.

Northern Annex Alternative

The property proposed for the Northern Annex Alternative is currently occupied by a Greyhound Bus terminal (southern portion of the site), Sheriff's satellite office (northeast corner of site), a vacant diner (central-eastern portion of the site), and a former Western Union building (northwest corner of site), all of which would need to be displaced as a result of the proposed action.

Eastern and Tower Annex Sites

No businesses or residents occupy the Eastern and Tower Annex Sites. Therefore, no relocations is required.

Mitigation Measures

Any displacement would be mitigated through actions pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC section 4601, et seq.) and the Uniform Relocation Act Amendments of 1987 (hereinafter jointly referred to as URA). Information regarding the URA is provided to assist those individuals, families,

farmers and/or business owners who may be displaced as a result of the proposed development by providing an overview regarding relocation assistance advisory services and relocation payments.

ECONOMY AND EMPLOYMENT

Economic impacts associated with the proposed action include the following:

- Beneficial impacts to the national economy and Federal expenditures resulting from more effective and efficient Federal court operations.
- Benefits to the economy of Norfolk during both the construction and operation of the proposed facility.

Economic benefits would result from job creation, increased sales revenue and the generation of tax revenue to Federal, State and City governments. Both direct and indirect economic benefits would be realized. The proposed action has an estimated construction budget of over \$140 million. Direct economic benefits would result from material purchases in the Norfolk metropolitan area and through construction and operational payrolls. Indirect economic benefits would be realized through the subsequent respending of this initial revenue. Successive respending or “rounds” of economic activity would be stimulated by the initial expenditure of funds commonly referred to as the “multiplier effect”.

Direct and indirect economic benefits associated with the construction phase would occur for a limited time, lasting during the actual construction period (approximately 36 months), ending shortly after the project’s construction is completed and the multiplier effect is exhausted. Economic activity generated during the operational phase of the U.S. Courthouse and Proposed Annex, on the other hand, would continue throughout the life of the facility.

TAXES AND REVENUE

Southern Annex Alternative

Because Federal agencies does not pay local property tax, the use of the Southern Annex Site for the proposed Courthouse Annex would result in the removal of the property from the Norfolk property tax base. However, this impact is expected to be minor. This minor impact is offset by virtue of the beneficial impacts the proposed action would bring to the economy of Norfolk in terms of construction employment and materials purchases.

Secondary jobs related to the increased economic activity stimulated by the proposed action may be created. Additional retail services and business employment may result from the proposed action through a multiplier effect, yielding additional sales and income tax revenues for local and state governments, thus having a beneficial indirect impact.

Western Annex Alternative

The use of the Western Annex Site for the proposed Courthouse Annex would result in the loss of tax revenue to the city. This impact is expected to be negligible as the property is currently unimproved. However, the site is currently undergoing development and is the location of the future Granby Tower Condominiums. Granby Tower will contain approximately 302 units. This development will raise the property tax revenue collected by the city substantially and loss of this revenue would have a moderate impact on the city's revenue. Secondary jobs related to the increased economic activity stimulated by the proposed action may be created. Additional retail services and business employment may result from the proposed action through a multiplier effect, yielding additional sales and income tax revenues for local and state governments, thus having a positive indirect impact.

Northern Annex Alternative

The use of the Northern Annex Site for the proposed Courthouse Annex would result in the loss of tax revenue to the city. This impact is expected to be negligible as the property does not currently generate significant tax revenue for the city. Secondary jobs related to the increased economic activity stimulated by the proposed action may be created. Additional retail services and business employment may result from the proposed action through a multiplier effect, yielding additional sales and income tax revenues for local and state governments, thus having a positive indirect impact.

Eastern Annex Alternative

Currently, real estate tax is not collected for the Eastern Annex Alternative. Consequently, no adverse direct impacts are anticipated. Secondary jobs related to the increased economic activity stimulated by the proposed action may be created. Additional retail services and business employment may result from the proposed action through a multiplier effect, yielding additional sales and income tax revenues for local and state governments, thus having a positive indirect impact.

Tower Annex Alternative

Currently, real estate tax is not collected for the Tower Annex Alternative. Consequently, no adverse direct impacts are anticipated. Secondary jobs related to the increased economic activity stimulated by the proposed action may be created. Additional retail services and business employment may result from the proposed action through a multiplier effect, yielding additional sales and income tax revenues for local and state governments, thus having a positive indirect impact.

ARCHEOLOGICAL RESOURCES

Construction of the courthouse annex at any site would entail ground disturbing activities. A review of a series of historic maps indicates that there remains a potential for archaeological

deposits dating to the nineteenth and twentieth centuries, and perhaps as early as the eighteenth century. Therefore, ground disturbance may result in a moderate, adverse, long-term, direct impact to archaeological resources.

No indirect impacts would result from construction at any of the alternatives. It is not likely that the use of any of the sites would be a catalyst for future development. Therefore, negligible, adverse, indirect impacts would occur under this alternative.

Mitigation Measures

The following mitigation measures could be implemented for archaeological resources:

- Conduct a Phase IA survey of the proposed annex sites that would include a detailed examination of historic maps to identify specific areas where intact archaeological resources may be present.
- Conduct a Phase IB/II identification survey and NRHP evaluation of areas identified during the Phase IA study as likely having intact archaeological deposits. This study would be used to identify any archaeological deposits present and to collect data to be used to determine whether the deposits are eligible for listing in the NRHP.
- If any archaeological resources are determined to be eligible for listing in the NRHP, an MOA would be developed to identify appropriate measures to mitigate adverse effects associated with the construction of the courthouse annex

HISTORIC STRUCTURES

Southern Annex Alternative

Under the Southern Annex Alternative, the construction of the proposed Courthouse Annex would occur within the Downtown Norfolk Historic District and would necessitate demolition of a contributing resource to the district: the former Showcase Furniture building, currently the Lofts at 500 Granby. Construction on the Southern Annex Site would alter the current historic viewshed by eliminating a contributing resource to Downtown Norfolk Historic District as well as introducing a new and contrasting visual element to that district and the adjacent National Register listed Walter E. Hoffman U.S. Courthouse.

The construction of Granby Tower, as well as the effects of other smaller developmental changes in the area, has contributed to the changes in the historic character of the District. The demolition and re-development of the Southern Annex Alternative would also contribute to the cumulative impacts to the District by demolishing a contributing resource to that district. A moderate, adverse cumulative impact would occur under this alternative.

Western Annex Alternative

Under the Western Annex Alternative, the construction of the proposed Courthouse Annex would involve construction within the Downtown Norfolk Historic District. The Courthouse Annex on the Western Annex Site would be immediately adjacent to

National Register listed resources, introducing modern elements into the historic setting. The new construction may be different in materials, size, and massing to adjacent historic resources and thus may be visually and architecturally incompatible with historic structures. In terms of Section 106 of the National Historic Preservation Act, this would constitute an Adverse Effect on the Downtown Norfolk Historic District and the Walter E. Hoffman U.S. Courthouse. Consequently, construction on this site would create a moderate, adverse, long-term, direct impact to historic architectural resources.

Northern Annex Alternative

Under the Northern Annex Alternative, the present Greyhound Bus Terminal and parking lot would be demolished and a new annex constructed on the site. Construction at the Northern Annex Site would introduce modern elements to the viewshed of the Walter E. Hoffman U.S. Courthouse. Although there would be some impact, given the present nature of the site, with open parking spaces and modern buildings, the construction of the annex on this site would not substantially impact the overall visual continuity of the historic district and would not substantially alter the current viewshed surrounding the Courthouse and the Downtown Norfolk Historic District. In terms of Section 106 of the National Historic Preservation Act, this would constitute No Adverse Effect on the Downtown Norfolk Historic District and the Walter E. Hoffman U.S. Courthouse. Construction on this site would create a minor, adverse, long-term, direct impact to historic structures.

Eastern Annex Alternative

Under the Eastern Annex Alternative, an addition would be constructed on the east façade of the present Walter E. Hoffman U.S. Courthouse. The addition would be similar in design and scale to the existing courthouse. However, the addition would conceal a major part of the eastern façade of this National Register listed building, thus altering its physical and visual character. Construction on the Eastern Annex Site would introduce modern intrusive elements to this National Register resource, and constitute an Adverse Effect in terms of Section 106. As the courthouse is also a contributing resource to the Downtown Norfolk Historic District, this would also adversely affect that District. Construction on this site would create a moderate, adverse, long-term, direct impact to historic structures.

Tower Annex Alternative

The Tower Annex Alternative would consist of constructing a seven-story tower above the current Walter E. Hoffman U.S. Courthouse building, which is a National Register, listed historic property and is also a contributing resource to the Downtown Norfolk Historic

District. Construction of the Tower Annex Alternative would alter the current historic viewshed by altering the massing and scale of the present building as well as introducing a new visual element to the Downtown Norfolk Historic District. In terms of Section 106 of the National Historic Preservation Act, the addition of new elements would constitute an Adverse Effect on the Downtown Norfolk Historic District and the Walter E. Hoffman U.S. Courthouse. Consequently, construction on this site would create a moderate, adverse, long-term, direct impact to architectural and visual resources.

Mitigation Measures

Mitigation measures would be different, depending upon the alternative selected. Any mitigation would be a result of meetings between GSA, the Virginia SHPO, and any consulting parties and would be established in a Memorandum of Agreement (MOA). Design for any of the four alternatives would meet the Secretary of Interior's guidelines for new additions to historic buildings and construction within historic districts.

The following mitigation measures are examples of those that could be implemented for historic structures:

- Landscaping around the perimeter of the site could be implemented to help screen the view of the building from neighboring buildings.
- Low-intensity lighting could be used where feasible.
- Design should be careful to complement the scale, massing, and design of the surrounding visual resources, especially those features of the existing courthouse.
- Photographic and further historical documentation of affected historic resources in consultation with the Department of Historic Resources of Virginia prior to commencement of demolition or construction.

PARKING

There is adequate capacity in the surrounding parking supply to absorb the parking demand increase by the Federal Courthouse expansion. There are 5 parking garages within a 2 block radius of the courthouse providing approximately 2,630 parking spaces. In these garages, the average occupancy rate for any 1-hour period between 7 AM to 11 AM is 78% or less. During the hours of 2 PM and 5 PM, the average occupancy for any 1-hour period is 64% or less. The parking garage most likely to be impacted by the courthouse expansion is the Scope garage as it is closest to the courthouse. This garage has 578 parking spaces. During the AM Peak Period, the Scope garage has an occupancy rate of 25% or less and during the PM peak period it has an occupancy rate of 18% or less. Thus, overall, the additional demand placed by the courthouse expansion should be easily accommodated by the existing parking supply.

TRAFFIC CONDITIONS

With all of the alternatives, the intersections are expected to operate at Level of Service (LOS) D or better during the peak hours, with the exception of the Brambleton Avenue/St. Paul's Boulevard intersection, which is expected to operate at LOS E during the AM and PM

peak hours. intersection. Under the No-Action conditions, this intersection is expected to operate at LOS E during the AM peak hour and D during the PM peak hour. However, under all the action alternatives, this intersection would operate at LOS E during both peak hours. The Brambleton Avenue/St. Paul's Boulevard intersection would operate with the highest delays under the East option, which would close Monticello Avenue between Bute and Brambleton Streets. Not only would this option be disruptive to the traffic flow in this area and increase congestion at several intersections, it would also significantly increase delays at the Brambleton Avenue/St. Paul's Boulevard intersection.

Mitigation Measures

In order to improve the operational conditions at the Brambleton Avenue/St. Paul's Boulevard, it is recommended that an exclusive eastbound right turn lane be added. Thus, the eastbound approach of Brambleton Avenue would have an exclusive left turn lane, three through lanes, and an exclusive eastbound to southbound right turn lane. Due to the Scope Center abutting eastbound Brambleton Avenue, the expansion would have to occur along the north side of Brambleton Avenue. With this improvement, the Brambleton Avenue/St. Paul's Boulevard intersection is expected to operate at LOS D during both peak hours under all the action alternatives.

UTILITIES

The proposed courthouse can be accommodated within the planned capacities of regional utility providers and would have a minor, direct, long-term, adverse impact on electric, natural gas, and centralized heating and cooling, and telecommunications resources.

SITE CONTAMINATION/HAZARDOUS WASTE

Construction of the proposed courthouse would require site preparation, including demolition of existing structures that may have asbestos, pcb, or lead containing materials and the excavation of previously buried structures. Removal and disposal of hazardous materials would be in compliance with the Occupational Safety and Health Act (OSHA) (29 CFR 1926.1101), the Resources Conversation and Recovery Act (RCRA), and State regulations.

AESTHETICS AND VISUAL RESOURCES

The sites would be disrupted during the construction period by virtue of site preparation, building construction, landscaping, and other related activities. The construction period is temporary and, once concluded, the aesthetic characteristics of the general area beyond the bounds of the sites would not be significantly altered. No adverse impact has been found to result from the visual aspects of security precautions in the vicinity of courthouse facilities. Security measures are unobtrusive and are generally internal rather than external. In most instances, persons passing by U.S. Courthouses are generally unconcerned with the nature of such facilities. The proposed Courthouse Annex would be developed as part of an overall architectural composition to present a visually simplified and unified image that is

aesthetically pleasing and compatible with the surrounding area in terms of site arrangement, building materials and landscape treatments. Views of the Courthouse Annex from the adjoining roadways and properties would reveal a structure compatible with its surroundings. No adverse direct, indirect, or cumulative impacts are expected.

COMMUNITY SERVICES AND FACILITIES

The proposed facility is not expected to pose a substantial impact upon public service agencies in Norfolk. Site security during the construction phase would be the responsibility of the construction contractor, and federal personnel once the facility becomes operational. With respect to fire protection, the building will be equipped with a fully automatic fire detection, alarm and suppression system, including combined standpipe/sprinkler risers and a fire pump with associated automatic controllers. The design of the system will meet the applicable standards of the National Fire Protection Association's (NFPA) *Life Safety Code Handbook*, the Building Officials and Code Administrators (BOCA) *National Codes* and GSA's *Safety and Environmental Management Program Handbook*. No adverse impacts are expected to occur with respect to area medical facilities, educational facilities, and emergency medical services. As noted earlier, the personnel associated with the proposed facility are primarily those currently employed at the courthouse and those transferred from two nearby existing locations. Only 75 additional employees are expected to be relocated to the courthouse and annex as a direct result of the proposed action; therefore, no adverse impacts are expected. No direct, indirect, or cumulative impacts are anticipated.

NOISE

Construction

Temporary increases in noise levels within the immediate vicinity of the sites would occur during construction. The magnitude of the impact depends on the specific types of equipment used, the construction methods employed, and the scheduling of work. Construction noise lasts only for the duration of the construction contract and is usually limited to daylight hours. Noise resulting from construction is not anticipated to have an adverse effect on surrounding land use at the sites. It is generally intermittent and depends on the type of operation, location, and function of the equipment and the equipment usage cycle, and attenuates quickly with distance. Past, present, and future development in addition to the proposed Courthouse Annex, would have minor, adverse, long-term, cumulative effects on noise levels.

Facility Operation

During operation of the facility, on-site noise, from facility equipment is expected to be minimal. Negligible impacts are anticipated. Traffic increases associated with the construction of the Courthouse Annex are expected to be minimal and would only increase noise levels slightly. Therefore, negligible, adverse, long-term, indirect impacts would occur under this alternative. Past, present, and future development in addition to the proposed Courthouse

Mitigation Measures

Noise impacts during the construction phase would be mitigated by confining construction activities to normal working hours and employing noise-controlled construction equipment to the extent possible.

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1 PURPOSE AND NEED FOR THE PROPOSED ACTION

1.1 INTRODUCTION

This document, together with its appendices and incorporation by reference, constitutes an Environmental Assessment (EA) pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended. NEPA establishes national policies and goals for the protection of the environment and establishes a process to ensure that the environmental consequences of such actions are adequately addressed.

The assessment as documented herein will be made available for public review and comment for a period not less than 30 days. The EA will become final provided that no information leading to a contrary finding is received or comes to light during the period afforded for public review and comment.

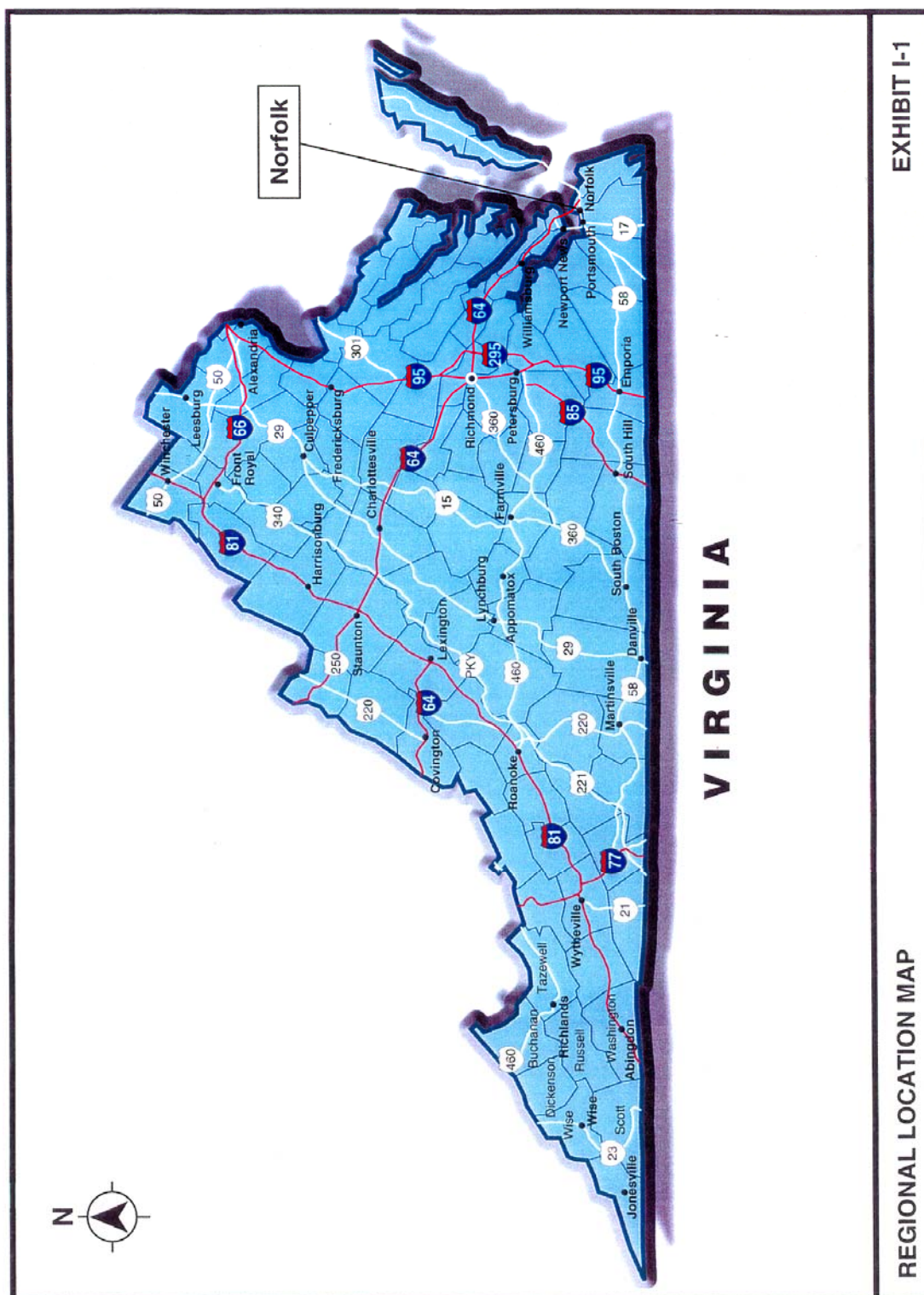
1.2 BACKGROUND

The U.S. General Services Administration (GSA) is proposing to construct an annex to the existing Walter E. Hoffman U.S. Courthouse in Norfolk, Virginia (Figure 1-1). The project calls for the design and construction of an approximately 177,000 gross square foot (gsf) building, plus 71 indoor parking spaces, and a sallyport for prisoner movement. The new facility would consolidate the District Court, court units, and court-related agencies into a courthouse facility that will accommodate the 30-year space requirements of the Courts and court-related agencies.

At present, the District Court has nine judges utilizing seven courtrooms. Bankruptcy court has two judges and two courtrooms. Of the nine total courtrooms, several do not meet the minimum size requirements of the *U.S. Courts Design Guide*. Five of the nine courtrooms are assigned to district judges, two to magistrate judges and two to bankruptcy judges.

Federal Court Space in Norfolk

The existing Walter E. Hoffman United States Courthouse, located at 600 Granby Street, was constructed between 1932 and 1934 to house the U.S. Post Office, the U.S. District Court and all federal agencies in Norfolk (Figure 1-2). In 1984, the building was listed in the National Register of Historic Places. It contains a gross building area of 216,790 gsf and 130,745 usable square feet (usf) of floor space. The building currently houses the U.S. District Courts and Clerk's Office, the U.S. Bankruptcy Court and Clerk's Office, U.S. Probation Office, Circuit Library, U.S. Marshals Service (USMS); and the U.S. Attorney Suite (Trial/Witness Preparation and Grand Jury Coordinator only).



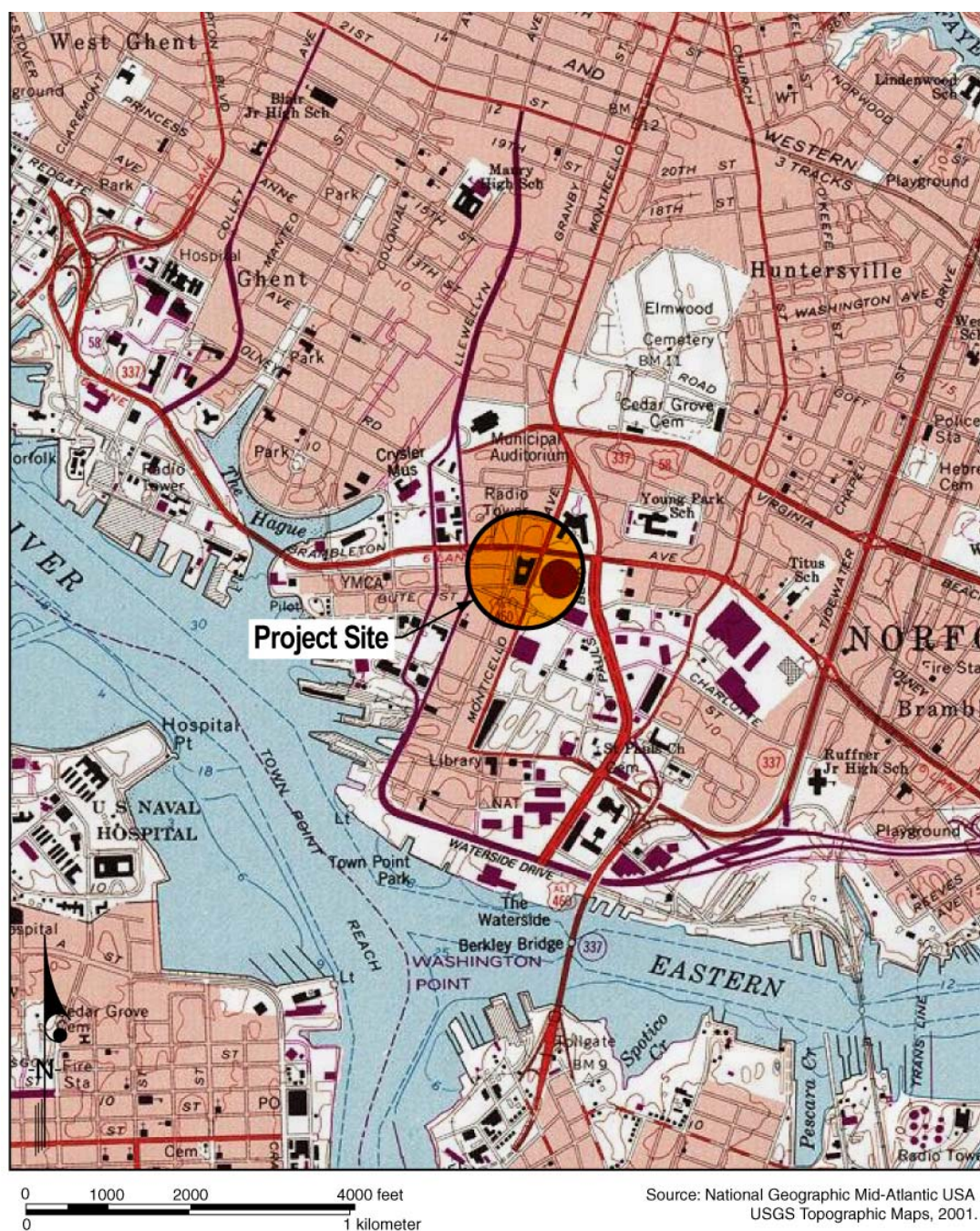


Figure 1-2: Site Location – Existing Courthouse

1.3 PURPOSE OF THE PROPOSED ACTION

The purpose of the proposed action is to:

- create a courthouse facility that will accommodate the 30-year space requirements of the Courts and court-related agencies;
- maintain the court presence in Norfolk;

- adapt and reuse the existing Hoffman Courthouse building; and
- create a court complex that optimizes security, circulation, and operations.

The action consists of designing the new building to accommodate the security requirements of the U.S. District Court and would include three new District courtrooms, one new Magistrate courtroom, one new Bankruptcy courtroom and program space for the U.S. Marshals Service, U.S. Probation Office, U.S. Pretrial Services Office, U.S. Attorneys Office, and U.S. Trustees Office. The 71 indoor parking spaces would be provided for Judges, the U.S. Marshals Service, and court related personnel and handicapped employees. Upon completion of construction, the courthouse and annex would provide 14 courtrooms for 5 District Judges, 3 Senior District Judges, 3 Magistrate Judges and 3 Bankruptcy Judges.

In addition, the existing courthouse would undergo a series of proposed design alterations, which include:

- upgrading the current constant-volume heating and air conditioning, electrical, plumbing, and security systems;
- installing an upgraded fire and sprinkler system throughout the building;
- installing additional elevators;
- reconfiguring some of the interior space to better accommodate court components;
- performing interior and exterior historic restoration;
- cleaning the exterior of the building; and
- repairing the roof.

The resulting courthouse facility, which would meet the design criteria of the U.S. Courts Design Guide, will support the efficient operation of the Courts for decades.

There are currently five sites under consideration by GSA for development of the proposed project. These alternatives are discussed further in Section 2.2.

1.4 NEED FOR THE ACTION

The Courthouse Annex is needed to:

- Provide for increased security; and
- Consolidate the operation of the courts and court related services thereby lowering costs and increasing operating efficiency.

The existing Hoffman Courthouse does not provide adequate security. The courthouse represents an adaptation of a building designed in a different era to the security concerns of

today's courthouses. At the time of its completion in 1934, there was little provision for the separation of circulation between public, private and secure uses other than in the area of the building originally designed for use by the U.S. Post Office. The original mixed use of the building, with the Post Office on the ground floor and the courts and federal agencies above, was the defining criterion for the circulation system. The most pressing need today is for a secure corridor system for prisoner movements. At present, the public, jurors, trial participants and judicial officers share the same elevators and hallways. The U.S. Marshals Service (USMS) must unload prisoners in the north parking lot used for judges parking and walk them directly into USMS space.

The existing Hoffman Courthouse contains approximately 120,000 net occupiable square feet (NOSF) (Davidson, 2006). There is an estimated existing space shortfall of approximately 99,000 occupiable square feet (OSF). By 2015, space projections for the U.S. Courts and court-related agencies in Norfolk more than double to approximately 229,500 NOSF (Table 1-2).

Currently, there are four active and two senior district judges, two magistrate judges, and two bankruptcy judges seated in Norfolk. The courts have projected a requirement for one new active and one new senior district judgeship, one new magistrate judgeship, and one new bankruptcy judgeship by 2015. Support services for the courts are also expected to grow, with an increase in the number of deputy clerks projected for both the District Court and the Bankruptcy Court. Other court-related agencies have future expansion requirements as well. Table 1-1 details the current courtrooms, as well as the future requirements upon which this project is based. Table 1-2 summarizes total program space upon the project's completion.

Table 1-1: Space Requirements for the U.S. Courts

Court	Current		Projected, Year 2015	
	Courtroom	Judges	Courtrooms	Judges
District	5	6*	8	8
Magistrate	2	2	3	3
Bankruptcy	2	2	3	3
Total	9	11	14	14

* includes two senior judges; ^ includes three senior judges
Source: General Services Administration, 2006.

Table 1-2: Summary of Total Post-Construction Occupiable Area

Tenant	Net Occupiable Square Feet
<i>U.S. District Court and Clerk</i>	
U.S. District Court - Courtset	51,614
U.S. District Court Judge - Chambers	20,132
U.S. District Court Magistrate Judge-Courtset	14,584
U.S. District Court Magistrate Judge-Chambers	5,096
U.S. District Court Clerk	17,420
<i>Subtotal</i>	<i>108,846</i>
<i>U.S. Bankruptcy Court and Clerk</i>	
U.S. Bankruptcy Court – Courtset	12,277
U.S. Bankruptcy Court – Chambers	6,602
U.S. Bankruptcy Court Clerk	16,628
<i>Subtotal</i>	<i>35,507</i>
Jury Assembly	4,161
Grand Jury Room	1,388
Alternative Dispute Resolution	1,482
Joint Use Court Facilities	4,593
Probation/Pretrial Services	25,991
Circuit Satellite Library	6,076
U.S. Attorneys’ Trial Prep Suite	1,800
U.S. Trustees Office	5,945
U.S. Marshals Service	24,869
Federal Public Defender	796
GSA / Joint Use Building Support	8,075
<i>Total</i>	<i>229,528</i>

Source: General Services Administration, 2004

1.5 SCOPING

In accordance with the NEPA, a scoping process was conducted to aid in determining the scope of issues to be addressed and to identify the significant issues related to this action.

The CEQ defines scoping as an early and open process for determining the significant issues related to the proposed action (40 CFR 1501.7). Scoping is usually the first direct contact between proponents of a proposed action and the public. Scoping is an ongoing process that occurs during planning for preparation of an environmental document, and may consist of meetings, telephone conversations, and written comments. It has the following specific, but limited objectives:

- to identify the affected public or agency concerns;
- to facilitate an efficient environmental document preparation process through assembling cooperating agencies, assigning data collection and analysis tasks, and scheduling appropriate reviews;

- to define the issues and alternatives that will be examined in detail in the environmental document while simultaneously devoting less attention and time to issues which cause no concern; and
- to save time in the overall process by helping to ensure that the environmental document adequately addresses relevant issues.

GSA is conducting consultation with the Virginia Department of Historic Resources (VDHR) as part of the project in compliance with Section 106 of the National Historic Preservation Act. In compliance with Section 7 of the Endangered Species Act, GSA has also requested and received information from the U.S. Fish and Wildlife Service (USFWS) and the Virginia Department of Conservation and Recreation regarding any known threatened or endangered species within the project area. Correspondence can be found in Appendix A.

A scoping meeting took place on January 10, 2006, at Kirn Public Library. The meeting was announced in The Virginian-Pilot on January 1, 2006 and January 8, 2006. Attendees were informed about the details of the Proposed Action, the application of NEPA in the project development project, and the scoping process. In addition, a public meeting took place on November 14, 2005, to obtain public comment and input regarding the potential impact on historic properties in relation to the proposed annex of the Walter E. Hoffman United States Courthouse.

Appendix B includes a summary of all comments received during the scoping process.

1.6 ENVIRONMENTAL ASSESSMENT PROCESS, PROCEDURES, AND SCHEDULE

NEPA is intended to help public officials make decisions based on an understanding of environmental consequences, and to take actions that protect, restore, and enhance the environment. Decisions should be made based on accurate scientific analysis, expert agency comments, and public scrutiny of readily available environmental information. Federal agencies are obligated to follow the provisions of NEPA to identify and assess reasonable alternatives to the proposed action that will avoid or minimize any adverse effects upon the quality of the human environment before proceeding with the proposed action.

The level of NEPA analysis undertaken by an agency for a proposed action depends on the probable impacts.

In order to determine the level of NEPA analysis to be performed, GSA examined potential impacts on the natural and human environment. The impacts considered were based on reasonably foreseeable changes resulting from implementation of the proposed action. Issues that could affect the environment and/or the proposed project were identified, including:

- potential impacts to the natural environment including floodplains;
- compatibility with surrounding land uses and visual effects on surrounding areas;

- potential impacts to archaeological resources;
- potential impacts to historic resources; and
- effects of the development on transportation facilities and traffic.

Based on a review of these issues and because significant impacts are not anticipated, GSA elected to prepare an EA for the site selection and construction of the Courthouse Annex. This EA takes a hard look at the probable impacts based on the reasonably foreseeable consequences of the proposed action and recommends measures to mitigate impacts, as appropriate.

2 ALTERNATIVES INCLUDING THE PROPOSED ACTION

NEPA requires that federal agencies explore a range of reasonable alternatives that are practicable or feasible from a technical and economic standpoint and that would satisfy the goals or objectives of the proposed action. The alternatives under consideration must include the “No Action” Alternative as prescribed by 40 CFR 1502.14. Project alternatives may originate from the proponent agency, local officials, or members of the public, at public meetings or during the early stages of project development. Alternatives may also be developed in response to comments from coordinating or cooperating agencies.

Alternatives considered in regard to this proposed action are analyzed under the following headings:

- **The No-Action Alternative:** A decision not to proceed with the construction of an annex to the U.S. Courthouse in Norfolk, Virginia.
- **Other Alternatives Considered and Eliminated:** Other alternatives considered and eliminated are those that warrant only a brief discussion as to the reasons for their elimination. They include leasing of an existing structure or the construction of a new courthouse at a site separate from the existing courthouse.
- **Alternatives Warranting Consideration in Detail:** Potential sites which are of sufficient size to accommodate the proposed facility; are located in downtown Norfolk in proximity to the existing courthouse; have been or can be connected to utilities at reasonable cost; and are available for development by the federal government without undue financial burden.

No reasonable alternatives outside the jurisdiction of GSA (the lead agency) have been identified or warrant inclusion in this Environmental Assessment.

2.1 ALTERNATIVES CONSIDERED AND DISMISSED

2.1.1 ADAPTIVE RE-USE OF EXISTING COMMERCIAL SPACE

Adapting existing space to meet the need for additional courtrooms and related space was considered for the Norfolk Courthouse Annex. When evaluating existing structures in Norfolk that would be suitable for re-use, several important physical issues would have to be kept in mind. The architecture of a federal courthouse must promote respect for the tradition and purpose of the American judicial process. To this end, a courthouse must express solemnity, stability, integrity, rigor and fairness. The facility must also provide a civic presence and contribute to the architecture of the local community. To achieve these goals, massing must be strong and direct with a sense of repose, and the scale of design should reflect a national judicial enterprise. All architectural elements must be proportional and arranged hierarchically to significant orderliness. The building materials employed must be consistently applied, natural and regional in origin, durable and invoke a sense of permanence.

More importantly, the specific design and operating requirements for court and related agency functions, with particular regard to security, are not easily met through leased space. To accommodate movement within a courthouse, three separate circulation zones must be provided: public, restricted, and secure. Public circulation requires a single controlled entry, but allows free movement within the building. Restricted circulation requires a single controlled interior entry and is limited to judges, court personnel, and official visitors. Secure circulation is intended for prisoners and is controlled by the U.S. Marshals Service. Because these security requirements cannot be met through adaptive re-use, this alternative is deemed to be neither prudent nor in the best interest of the public and was eliminated from further consideration.

2.1.2 FEDERAL CONSTRUCTION OF NEW STAND ALONE COURTHOUSE

Another option considered was the construction of a new, stand-alone courthouse to replace the existing Hoffman Courthouse. The existing courthouse is considered to be in good condition, both structurally and mechanically. In the past 25 years, a substantial investment has been made in the building, in the form of major renovations or modifications, as detailed below:

<u>Year:</u>	<u>Improvement:</u>
1975	A major systems upgrade was completed.
1984-1985	A major renovation of the first floor occurred when the Post Office moved out of the building and three new courtrooms and chambers suites were built. In addition, a substantial portion of the third floor was renovated to create the chambers suites for the Senior Judges.
1991	The second floor received a major renovation to provide space and facilities for Probation, Pretrial Services, and Court Reporters, as well as snack bar and lounge.
1993	Most of the fourth floor received a major renovation to provide space and facilities for the Bankruptcy Court Clerk's Office, two Bankruptcy Courtrooms and two Bankruptcy Judge's chambers.
1995	Another District Courtroom and chambers suite was completed on the first floor.

An analysis by GSA indicates that the cost of constructing a new, stand-alone courthouse is significantly higher than the cost of constructing an annex and renovating the existing courthouse. Given the significance of the investment in the existing courthouse, as well as the strong desire of the courts to continue to use the existing building, coupled with the fact that construction of a stand-alone facility is more expensive, the new construction alternative was eliminated from further consideration.

2.1.3 LEASE CONSTRUCTION

Another alternative considered was lease construction. Under this alternative, a new courthouse would be built to GSA standards by a developer and then leased to the government. A cost analysis by GSA has also indicated the cost of this alternative significantly higher than the cost of constructing an annex and renovating the existing courthouse. As a result, this alternative was eliminated from further consideration.

2.2 ALTERNATIVES GIVEN DETAILED CONSIDERATION

Six alternatives are analyzed in detail in this EA: the No-Action Alternative, the Southern Annex Alternative, the Northern Annex Alternative, the Western Annex Alternative, the Eastern Annex Alternative, and a Tower Alternative (Figure 2-1).

2.2.1 NO-ACTION ALTERNATIVE

The No-Action Alternative in this instance is defined as a decision by GSA not to proceed with the construction of the proposed annex to the U.S. Courthouse. Selection of this alternative would further exacerbate the growing backlog of cases within the U.S. District Court for the Eastern District of Virginia in general, and in the Norfolk Division specifically. Although the few temporary and otherwise slight adverse impacts associated with the proposed action would not occur if the project were not constructed, neither would the positive judicial, economic and related benefits.

The choice of this alternative would not result simply in the continuation of the status quo. Existing federal court space in Norfolk has been deemed inadequate. This space deficit restricts the Courts and court-related agencies from efficiently carrying out their missions and impedes future growth. In addition, the existing Walter E. Hoffman Courthouse does not provide adequate security. At present, there is no prisoner circulation system within the courthouse; with the public, jurors, trial participants and judicial officers sharing the same elevators and hallways. The USMS must unload prisoners in the north parking lot used for judges parking and walk them into the building. Therefore, selection of the No-Action Alternative would not eliminate the need for some type of action. Eventually, action to address present and future federal court space needs in Norfolk would be required. The No-Action Alternative would avoid the potential impacts and inconveniences associated with construction, such as noise and temporary disruption of traffic patterns. As documented herein, however, none of these impacts, properly mitigated, would constitute significant adverse impacts as defined by NEPA. Avoidance of these less than significant impacts must be contrasted with the loss of positive benefits, such as the lessening of overcrowded conditions in the existing federal court facilities, societal benefits derived from efficient operation of the activities and operational expenditures. In light of these considerations, the No-Action Alternative is deemed to be neither prudent nor in the best interest of the public.

Although the No-Action Alternative would not meet the purpose and need of the project, as part of NEPA analysis, the environmental impacts of the No-Action Alternative must be considered. This analysis serves as a baseline for comparison of other alternatives.

2.2.2 SOUTHERN ANNEX ALTERNATIVE

The Southern Annex Site is located south of the existing courthouse and is bounded by Bute Street to the north, Granby Street to the west, Monticello Avenue to the east, and Charlotte Street to the south (Figure 2-2). Under this alternative, a new annex would be built on the Southern Annex Site and attached to the existing courthouse. A 6,000 usf addition on the north side of the existing courthouse would also be constructed in place of an existing small parking lot. The Southern Annex would be one story taller than the existing courthouse for a total of five stories excluding the mechanical penthouse. Use of this site would require the closing of Bute Street between Granby and Monticello to allow for the connection of the annex to the existing courthouse. In addition, two lanes of Monticello Avenue would be closed. Under this alternative, the Lofts at 500 Granby, formerly the Showcase Building, which occupies the south site along with a small plaza, would be acquired. The approximate cost of expansion and renovation of the courthouse under this alternative is \$144,947,315.

2.2.3 WESTERN ANNEX ALTERNATIVE

The Western Annex Site is located immediately west of the courthouse in an area bounded by Brambleton Avenue to the north, Bute Street to the south, Granby Street to the east, and an imaginary north-south line situated about 300 feet west of Granby Street, just east of the existing telephone company building (Figure 2-3). The Western Annex would be one story taller than the existing courthouse for a total of five stories excluding the mechanical penthouse. Use of this site for the development of an annex would require the closing of West York Street between approximately the telephone company building and Granby Street.

Under this alternative, the courthouse annex would be connected to the existing courthouse by a tunnel underneath Granby Street. The 2.4-acre site (approximate) is currently unimproved. Ground was recently broken on this site for a new 31-story condominium tower, Granby Tower. The approximate cost of expansion and renovation of the courthouse under this alternative is \$180,928,120.

2.2.4 NORTHERN ANNEX ALTERNATIVE

The Northern Annex Site is bounded by Stark Street to the north, Brambleton Avenue to the south, Monticello Avenue to the east, and Granby Street to the west. Under this alternative, the courthouse annex would be connected to the existing courthouse by either a concourse underneath or a bridge over Brambleton Avenue (Figure 2-4). The bridge connection, if selected would be over 200 feet in length, and there would not be a connection on every floor of the existing courthouse. The Northern Annex would be one story taller than the existing courthouse for a total of five stories excluding the mechanical penthouse. The approximate cost of expansion and renovation of the courthouse under this alternative is \$162,676,580.

2.2.5 EASTERN ANNEX ALTERNATIVE

The Eastern Annex Site is bounded by Brambleton Avenue to the north, Bute Street to the south, the Norfolk Scope Arena to the east, and the Walter E. Hoffman Courthouse to the

west. Use of this site for the development of an annex would require the closing of Monticello Avenue between Bute Street and Brambleton Avenue (Figure 2-5). Under this alternative, a new annex would be built on the Site and attached to the existing courthouse. The Eastern Annex would be two stories above the existing courthouse for a total of six stories excluding the mechanical penthouse. The approximate cost of expansion and renovation of the courthouse under this alternative is \$147,825,715.

2.2.6 TOWER ANNEX ALTERNATIVE

The Tower Annex Alternative would be built within the existing courtyard of the Walter E. Hoffman United States Courthouse (Figure 2-6). The Tower Annex would be 7 stories above the existing courthouse for a total of 11 stories excluding the mechanical penthouse. Use of this site for the development of an annex would require the closing of two lanes of Monticello Avenue between Bute Street and Brambleton Avenue; and Bute Street between Monticello Avenue and Granby Street. The approximate cost of expansion and renovation of the courthouse under this alternative is \$166,226,970.

Table 2-1: Cost of Expansion and Renovation of the Courthouse by Alternative

	Southern Alternative	Western Alternative	Northern Alternative	Eastern Alternative	Tower Alternative
Cost	\$144,947,315	\$180,928,120	\$162,676,580	\$147,825,715	\$166,226,970

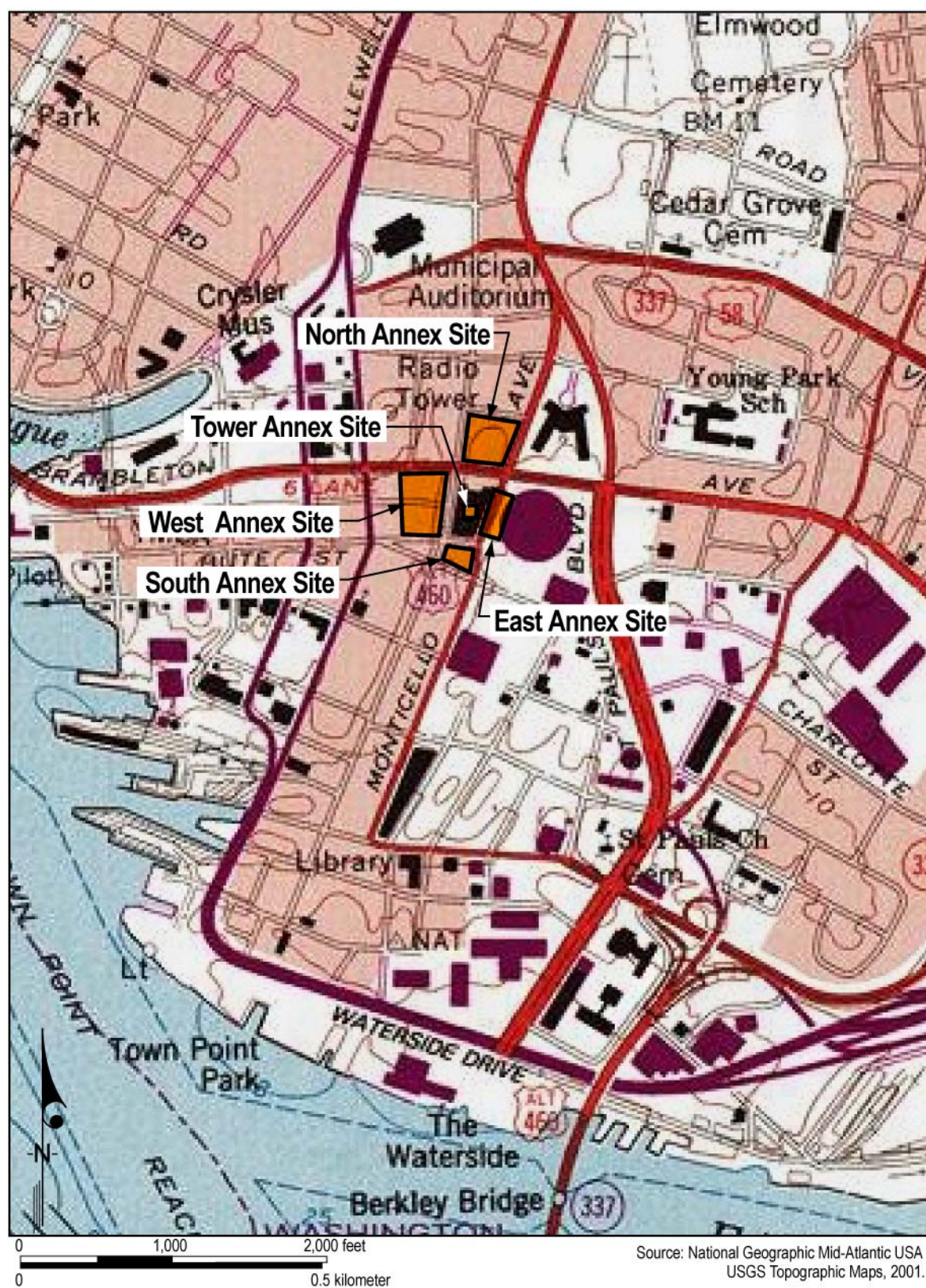


Figure 2-1: Alternative Site Locations

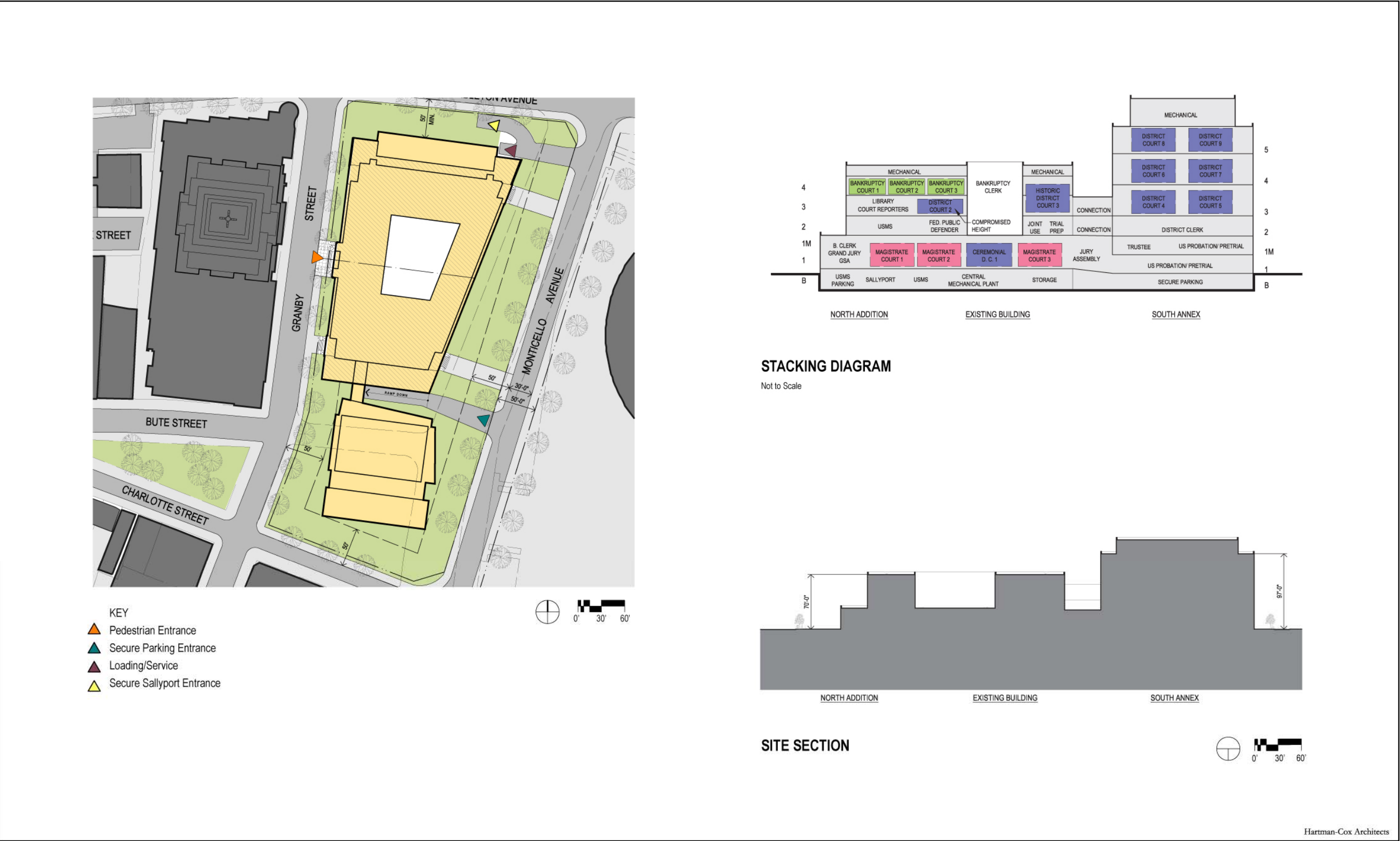


Figure 2-2: The Southern Annex Alternative

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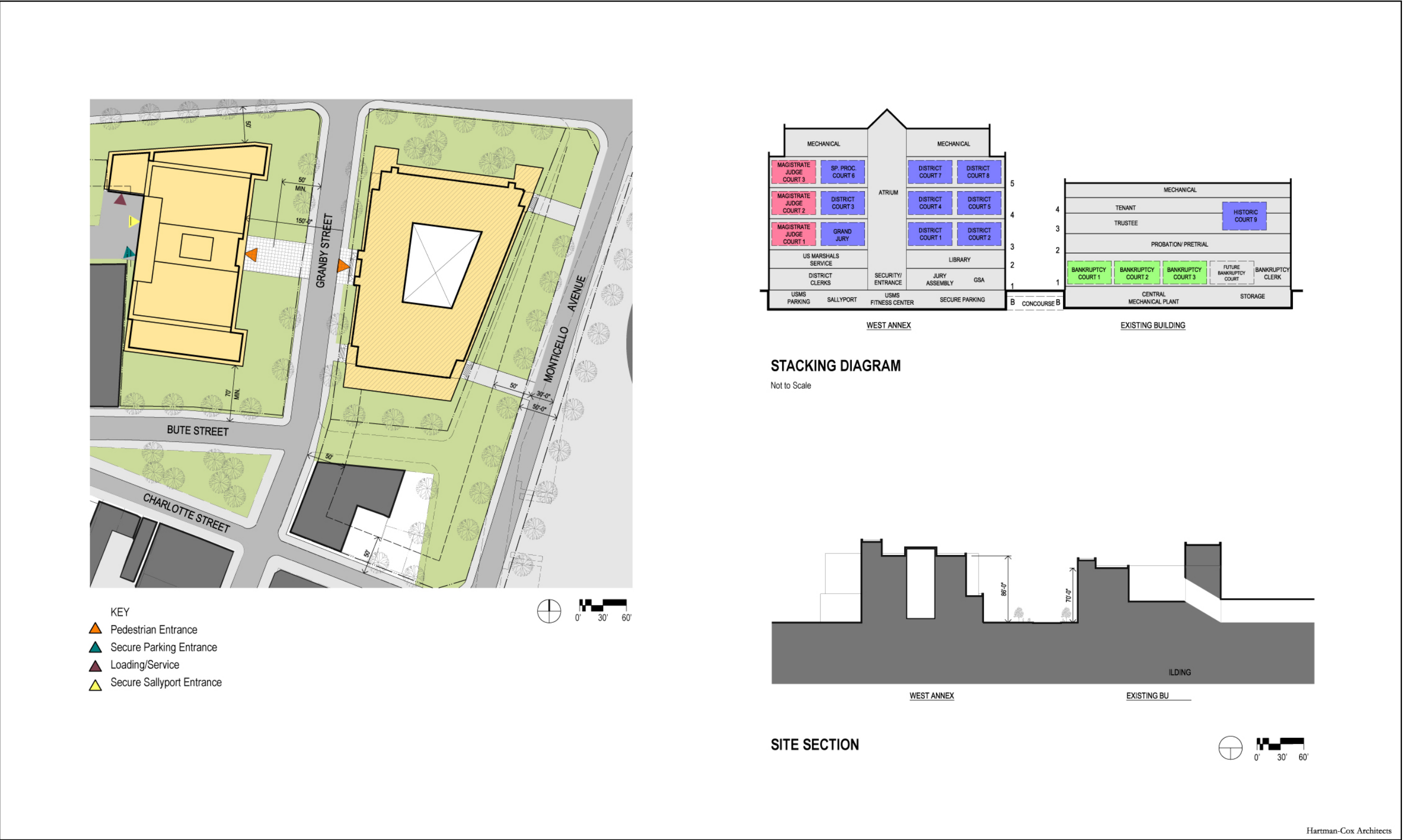


Figure 2-3: The Western Annex Alternative

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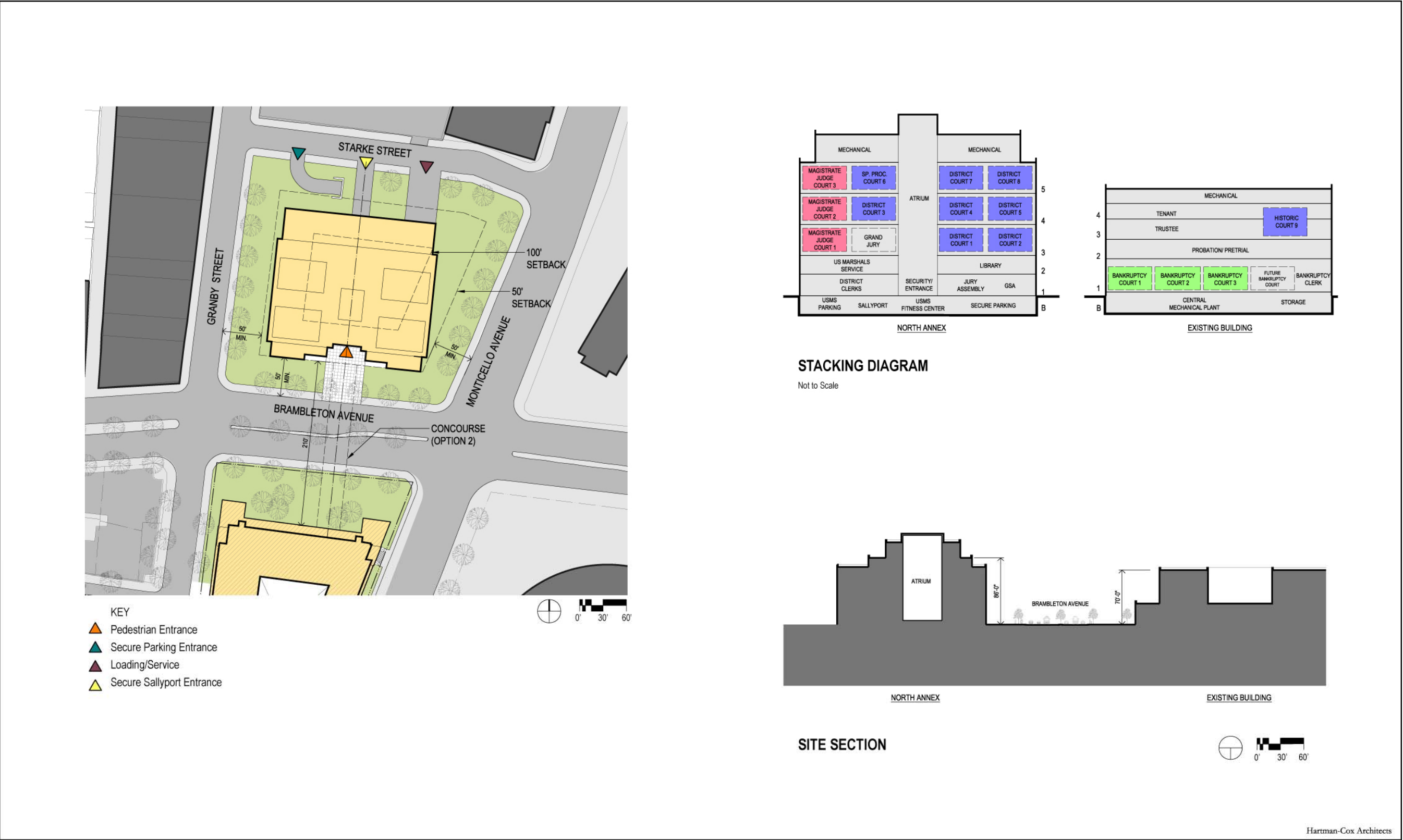


Figure 2-4: The Northern Annex Alternative

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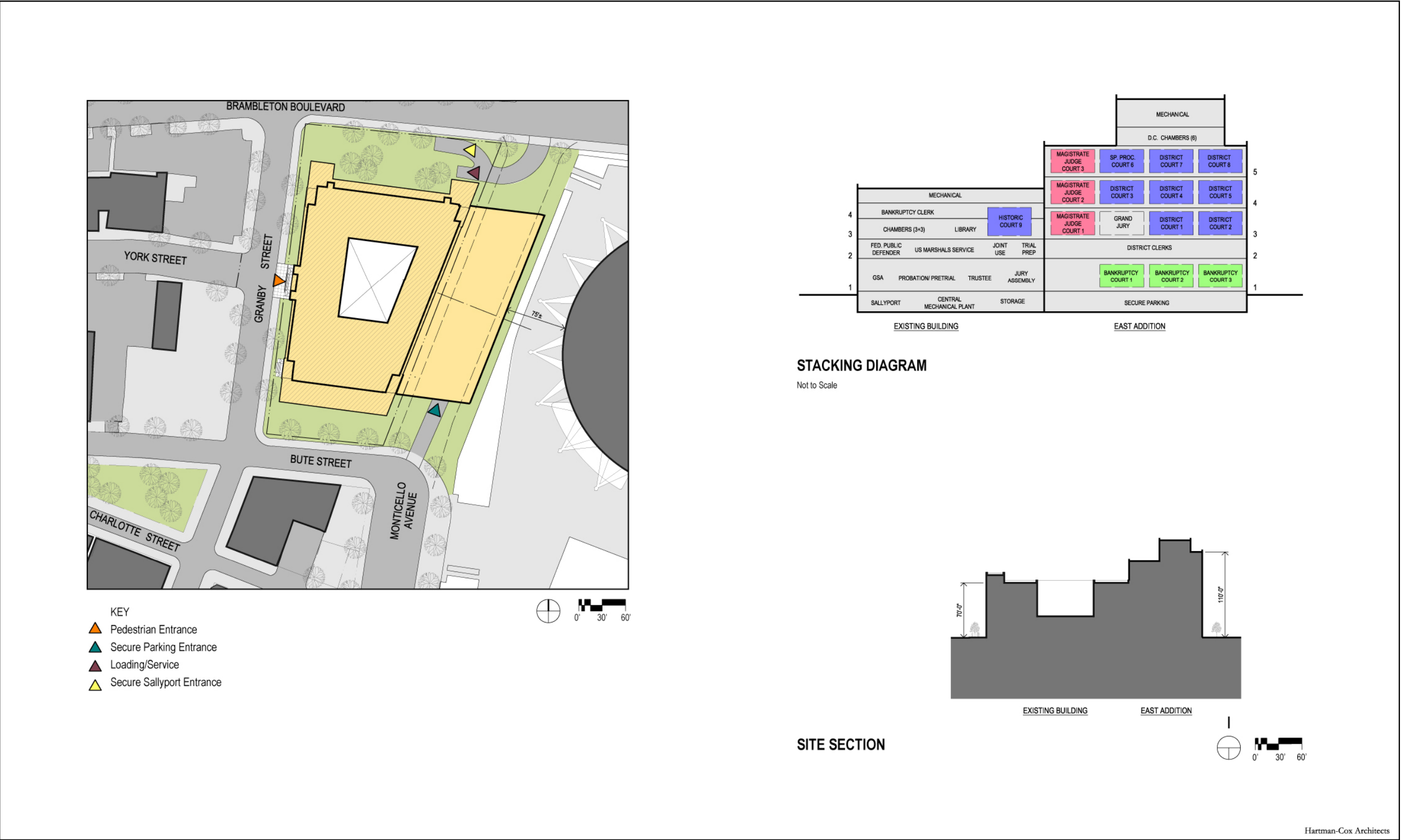
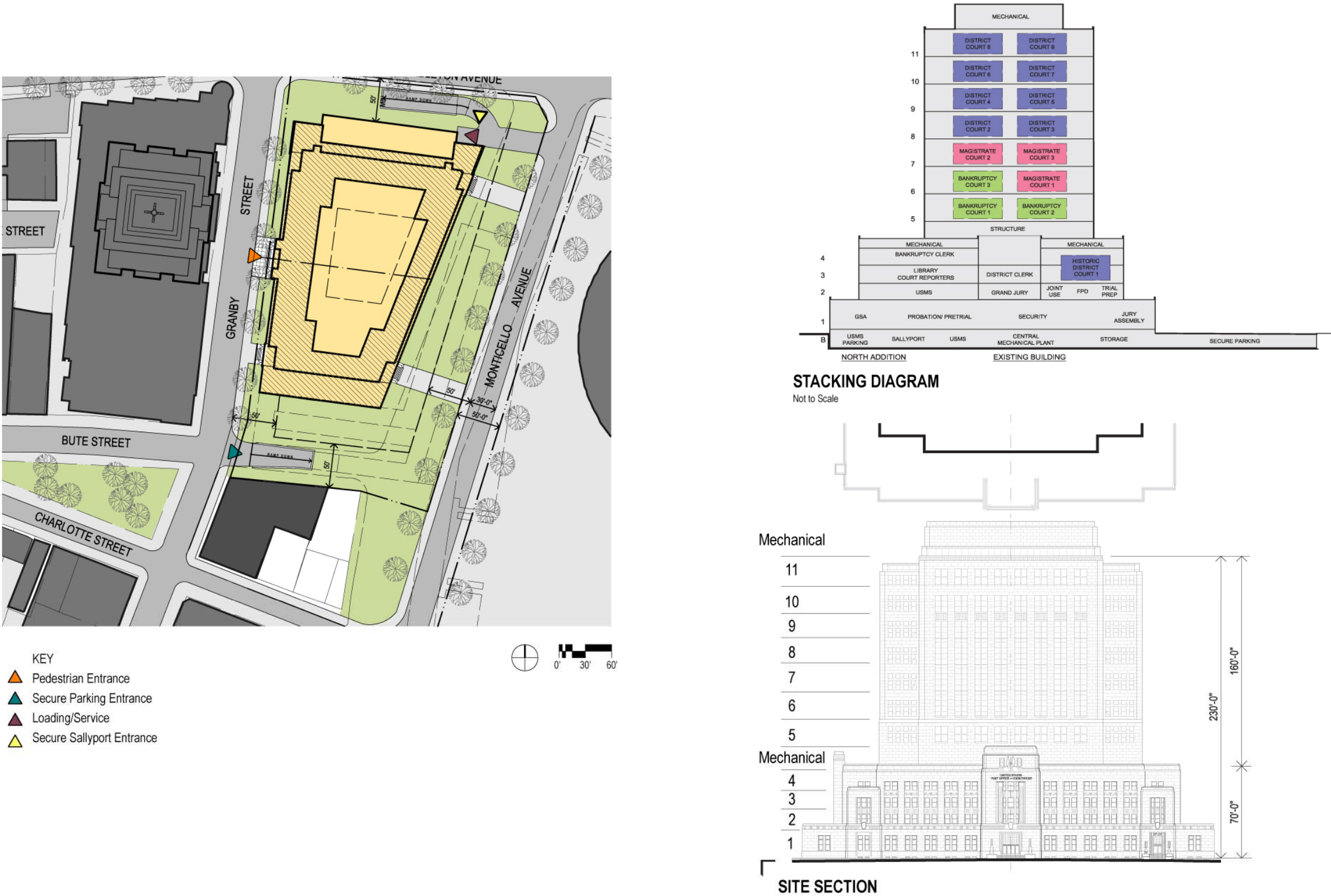


Figure 2-5: The Eastern Annex Alternative

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Hartman-Cox Architects

Figure 2-6: The Tower Annex Alternative

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3 AFFECTED ENVIRONMENT

Chapter 3, Affected Environment, provides a description of the current natural, social, economic, and cultural environments at all five sites. The purpose of this chapter is to provide sufficient information on the existing conditions to evaluate the potential impact to the human environment from the proposed action.

Impact topics analyzed in detail are divided into four sections:

- Section 3.1, Natural and Physical Environment
- Section 3.2, Social Environment
- Section 3.3, Cultural Environment
- Section 3.4, Infrastructure and Waste Management

3.1 NATURAL AND PHYSICAL ENVIRONMENT

3.1.1 TOPOGRAPHY

Topography has specific implications for site development. It controls the location of roads, buildings and utilities and generally affects the overall visual character of a site. The City of Norfolk is located on lands that range in elevation from sea level to approximately 15 feet above mean sea level (msl). According to the USGS topographic map for the area, the surface elevation for the Southern and Tower Annex Sites are approximately 10 feet above the mean sea level (msl). The surface elevation for the Western Annex Alternative is approximately 9 to 10 feet above msl. The surface elevation for the Eastern Annex Alternative is approximately 10 to 11 feet above msl and the surface elevation for the Northern Annex Alternative is approximately 7 to 8 feet above msl.

3.1.2 GEOLOGY AND SEISMICITY

Geology

The City of Norfolk is located within the Coastal Plain Physiographic Province at the mouth of the Chesapeake Bay. The Coastal Plain Province is a lowland that borders the Atlantic Ocean and ranges in width from as much as 140 miles in North Carolina to several miles at its northern terminus at the south short of Raritan Bay in New Jersey. Although it is generally a flat, seaward-sloping lowland, this province has areas of moderately steep local relief, and its surface reaches altitudes of 350 feet in the southwestern part of the North Carolina Coastal Plain. The Coastal Plain mostly is underlain by semiconsolidated to unconsolidated sediments that consist of silt, clay and sand, with some gravel and lignite. Some consolidated beds of limestone and sandstone are present. The Coastal Plain sediments range in age from Jurassic to Holocene and dip gently toward the ocean.

Seismicity

Based on historical earthquake locations and the recurrence rate of fault ruptures, the United States Geological Survey (USGS) has produced seismic hazard maps that show, by contours, earthquake ground motions that have a common probability of being exceeded in a specified time period under specific geological site conditions. The Norfolk area is shown on such a map (Figure 3-1). The predicted maximum amount of earthquakes induced shaking with a 10 percent probability of being exceeded in 50 years is shown on this map. The ground motion is expressed as a percentage of the force of gravity (percent g) and is proportional to the hazard faced by a particular type of building.

In general, little or no damage can be expected at values less than 10 percent g, moderate damage at 10 to 20 percent g, and major damage at values greater than 20 percent g. For example, eastern Virginia is situated on contours of less than eight percent g. Thus, the potential for damage from seismic activity is not a serious concern for the proposed project to be developed in this region.

These maps have been designed specifically to be useful in building codes. Contoured maps of design ground motions have replaced maps with numbered zones in nearly all building codes. The standards document, *Minimum Design Loads for Buildings and Other Structures* (ASCE 1996), uses maps based on a 10 percent probability of ground motion parameters (effective peak accelerations and effective peak velocity-related accelerations) being exceeded in 50 years to establish provisions to design and construct buildings that will resist the effects of earthquake motions. The most recent edition of *NEHRP (National Earthquake Hazards Reduction Program) Recommended Provisions for seismic Regulations for New Buildings and Other Structures* (BSSC, 1998) provides a design procedure based on contour maps of another parameter, spectral response. While the potential for seismic damage is small in eastern Virginia, the procedures specified in these documents and other seismic building codes may need to be considered in the design of any new structures.

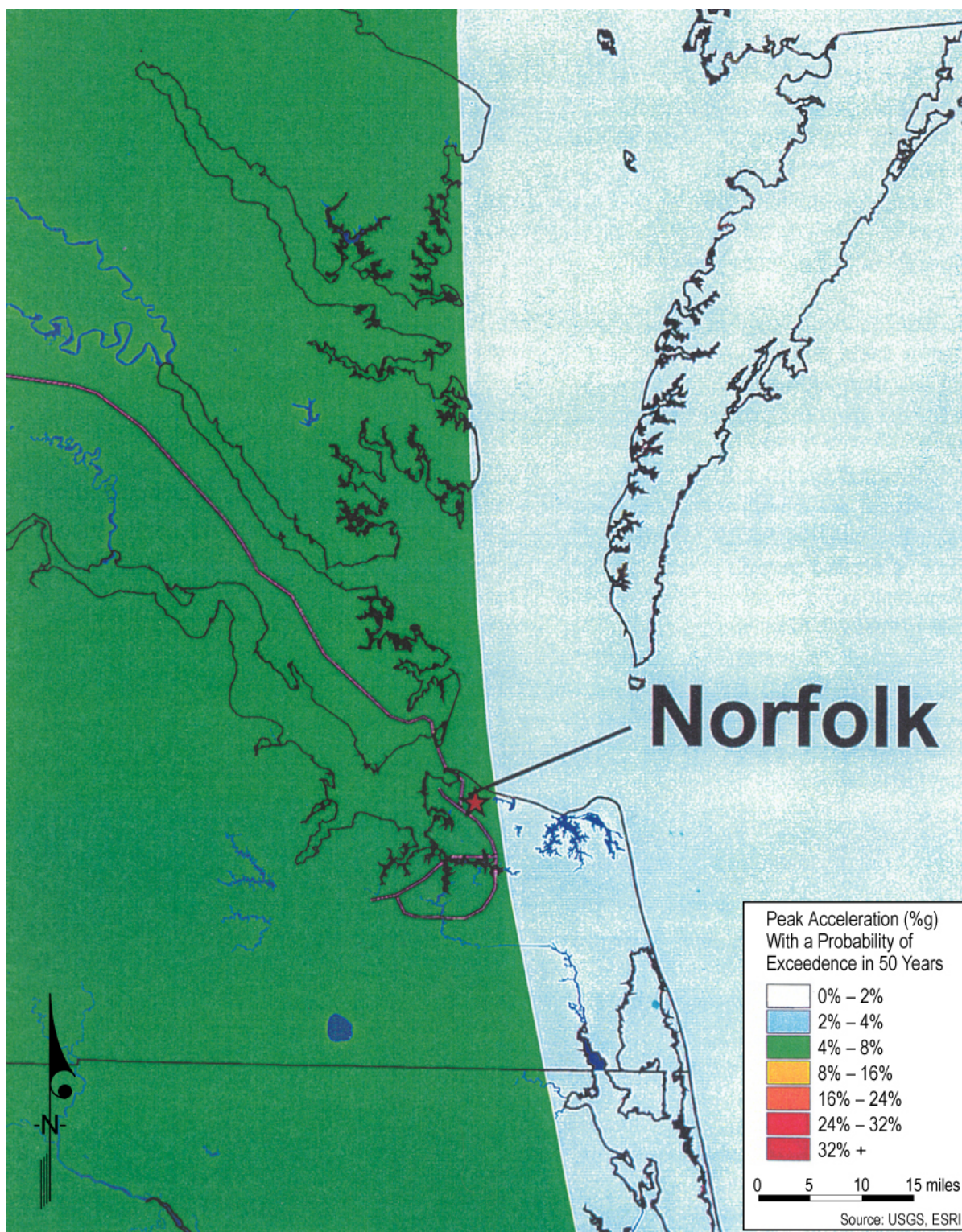


Figure 3-1: Seismic Information

3.1.3 SOILS

According to the U.S. Department of Agriculture, Natural Resource Conservation Service's (NRCS) *Soil Survey for Norfolk, Virginia* (unpublished), all sites are entirely underlain by "Urban Land", which is defined as "*areas where more than 80 percent of the surface is covered by parking lots, buildings and other structures... onsite investigation is needed to determine suitabilities for any use.*"

Hydric Soils

Hydric soils are defined as soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic (no oxygen) conditions within the upper part. Hydric soils generally support a vegetative community adapted for saturated, anaerobic conditions and, therefore, are indicators of the presence of wetlands. No hydric soils are present at any of the sites.

Prime Farmland Considerations

Prime farmland, as defined by the NRCS, is "farmland which meets a set of technical criteria based upon soil water capacity or availability of irrigation, temperature regime, pH, depth of water table, conductivity, exchange sodium, flood potential, erosion potential, permeability, and percentage of fragmented rocks."

As required by the Farmland Protection Policy Act (FPPA) (Pub. Law 97-98, 7 U.S.C. §§4201-4209), GSA is required to take into account any adverse effect the proposed action may have on the preservation of farmland, to consider alternative actions, as appropriate, to lessen adverse effects and to ensure that the proposed action is compatible with other policies which protect farmland. Projects on land already in urban development are not subject to the FPPA. Because all sites are located in downtown Norfolk, an area already in development, and because "Urban Land" is not considered to be a prime farmland soil, the proposed action is not subject to the provisions of the FPPA.

3.1.4 WATER RESOURCES

Water resources include groundwater and surface water. It is anticipated that groundwater and surface water within the project area flows in accordance with existing topographic features, which is generally high elevation to low elevation. All sites are developed with surface structures or are under construction and were previously paved; therefore, surface water would likely drain to the surrounding public street system and associated storm sewer system. None of the five alternative sites contains wetlands. In addition, no wetlands are directly affected by runoff from any of the sites.

3.1.5 FLOODPLAINS

Executive Order 11988 requires federal agencies to evaluate the potential effects of any actions it may take in a floodplain and to ensure that plans consider flood hazards and floodplain management needs. GSA Order ADM 1095.6, ***Consideration of Floodplains in Decision Making***, establishes policy and assigns responsibility within GSA for implementing laws and

Executive Orders concerning GSA actions that may affect floodplains. ADM 1095.6 states, “All Heads of Service, Business Lines, and Regional Offices will employ the Floodplain Management Desk Guide as guidance in carryout the order.”

The floodplain of concern is usually the 100-year floodplain. The 100-year floodplain is defined as an area subject to a one percent or greater chance of flooding in any given year. The 500-year floodplain is defined as an area subject to a 0.2 percent chance of flooding in a given year. For certain critical actions, the 500-year floodplain is the area of concern. The Floodplain Management Desk Guide states, “A ‘critical action’ is any activity for which even a slight chance of flooding would be too great. Examples of critical actions include, but are not limited to site acquisition and construction of new courthouses; storage of national strategic and critical materials; storage of irreplaceable records; child care facilities; FEMA offices and facilities, and public benefit conveyances for schools or prisons. Critical actions cannot be located in either a 100- or 500-year floodplain unless there is no practicable alternative.” The proposed Courthouse Annex is categorized as a Critical Facility.

GSA’s Floodplain Management Desk Guide provides an eight-step process to assess and address floodplain effects:

Step 1: Determine whether the action will occur in, or stimulate development in, a floodplain.

Step 2: Identify and evaluate practicable alternatives to locating in or affecting the floodplain.

Step 3: Public review/input of the proposed action.

Step 4: Identify the impacts of the proposed action if it were to occur in a floodplain.

Step 5: Minimize threats to life, property and to natural and beneficial floodplain values, and restore and preserve natural and beneficial floodplain values.

Step 6: Reevaluate alternatives in light of any new information that may have become available.

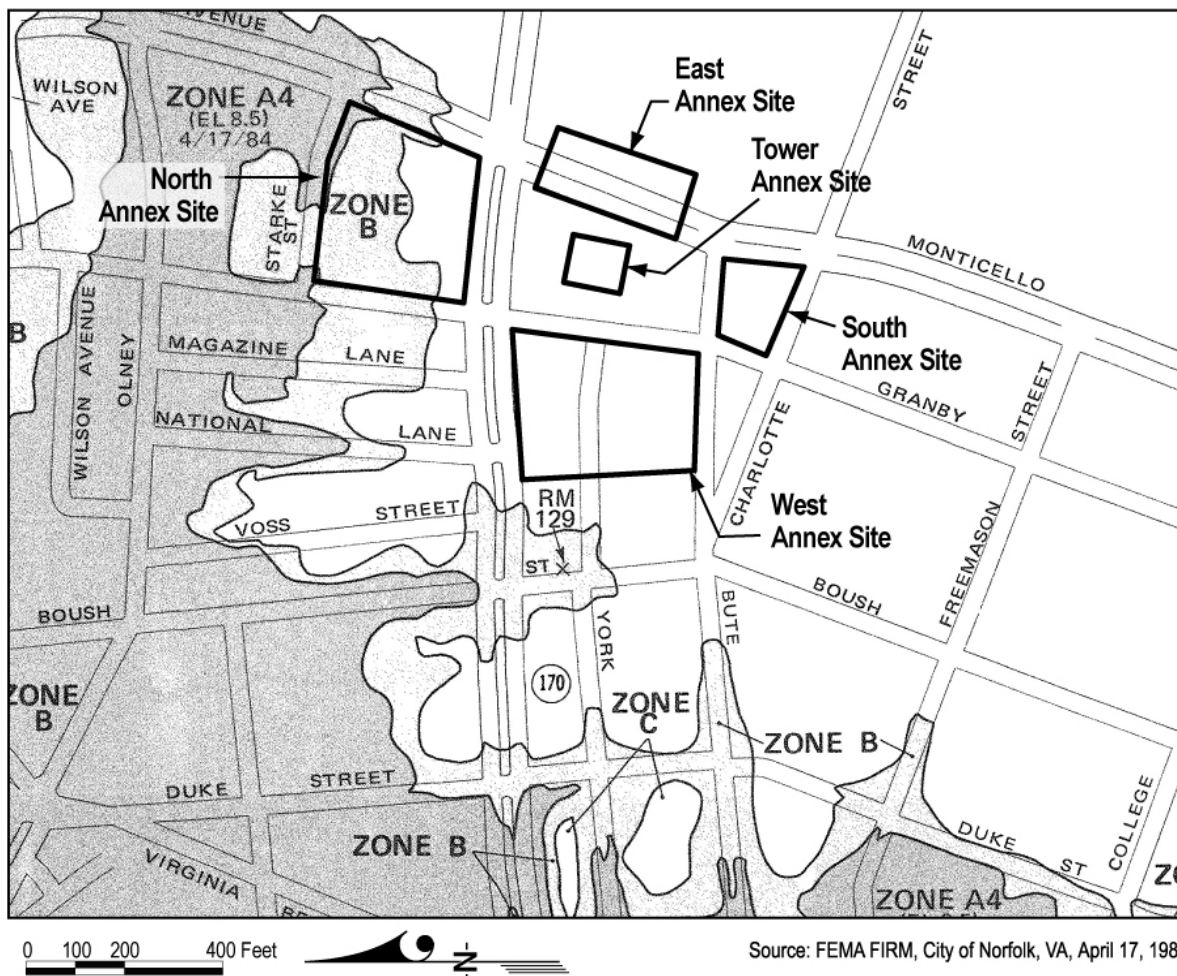
Step 7: Issue findings and a public explanation.

Step 8: Implement the action.

According to the FEMA Flood Insurance Rate Map (FIRM) for the City of Norfolk (Panel Number 5101040017D), approximately 75 percent of the Northern Annex Alternative is located within Flood Zone B.

Zone B refers to areas between the Special Flood Hazard Area and the limits of the 500-year flood, including areas of the 500-year floodplain, or an area subject to a 0.2 percent chance of flooding in a given year, that are protected from the 100-year flood by dike, levee, or other water control structure. Zone B also refers to areas subject to certain types of 100-year shallow flooding where depths are less than 1.0 foot; areas subject to 100-year flooding from sources with drainage areas less than 1 square mile.

Zone B on the Northern Annex Alternative refers to areas within the 500-year floodplain, or an area subject to a 0.2 percent chance of flooding in a given year. A small portion of the site is within Zone A4, the 100-year floodplain. Zone A is a Special Flood Hazard Area inundated by the 100-year flood, determined by detailed methods, with base flood elevations shown.



- ZONE A4 Special Flood Hazard Areas subject to a 1-percent-annual-chance of flood (100-year floodplain), determined by detailed methods; base flood elevations shown.
- ZONE B An area subject to a 0.2-percent-annual-chance of flood (500-year floodplain).
- ZONE C Areas of minimal flooding
- EL Base Flood Elevation, referenced to National Geodetic Vertical Datum of 1929 (NGVD 29)

Figure 3-2: FEMA Flood Insurance Rate Map

3.1.6 VEGETATION AND WILDLIFE

Much of the area in and around Norfolk has been previously disturbed by residential, commercial or industrial development, transportation systems and similar activities. As a result, many of the natural plant species and wildlife habitats that were present at the time of the city's original settlement are no longer found or are confined to limited areas.

All five sites are located in downtown Norfolk and are fully developed, with a combination of standing structures and unimproved lots currently under construction. According to the U.S. Department of the Interior, Fish and Wildlife Service, there are no special-status species or habitats located in proximity of any of the alternative sites. In addition, per a January 3, 2006 letter, the Virginia Department of Conservation and Recreation indicated there were no natural heritage resources in close proximity to the any of the sites. Natural heritage resources are defined as the habitat of rare, threatened, or endangered animal species, unique or exemplary natural communities, and significant geologic formation.

3.1.7 HAZARDOUS MATERIALS

A screening-level evaluation, comprised of a review of a commercially prepared regulatory agency database and a visual inspection, was undertaken for each site. The evaluation was conducted to determine if any site was listed on, or would be affected by any nearby site listed on, any regulatory agency listing such as the National Priorities List (NPL), the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) database or any other similar federal or Virginia listing. The visual inspection, of exterior areas only, sought to identify evidence and/or potential sources of contamination, if any, at each site.

Southern Annex Alternative

A Phase 1 Environmental Site Assessment was performed for this site in December 2005. Land use at the Southern Annex Alternative has historically been a mix of dwellings and commercial businesses. Sanborn Fire Insurance maps indicate the residential dwellings were phased out after the early 1900s and the primary structures on-site became commercial. From the 1920s to the 1960s a gasoline tank was present abutting the Southern Annex Alternative to the south on E. Charlotte Street. Manufacturing activities on-site included a printing facility and peanut roasting facility (1910s to the 1950s).

Historic city photographs, obtained from a public library in Norfolk, Virginia, were also reviewed. The 1914 photograph of the site shows a Studebaker automobile dealership with a sign offering "quality service." This sign is an indication that repair service was performed at the site.

Regulatory database information identified nine federal ASTM listings (Resource Conservation Recovery Act Small Quantity Generators), and 54 state ASTM listings (Leaking Underground Storage Tanks and Underground Storage Tanks-UST), within the standard ASTM search parameters. The site itself is listed as a Leaking Underground Storage Tank site. Remediation activities were performed in 2001 in response to a leak. The UST present on the site has been closed in place in accordance with VDEQ regulations. The LUST listing has since been closed

with no requirement for further action; however, soil and groundwater contamination may remain at the site.

The structure on-site was under renovation during the site investigation. Current building permit procedures generally require asbestos abatement prior to major renovations. Interior demolition appears to have been gutting the building. These activities often remove most, if not all, possible Polychlorinated Biphenyls (PCB)-, asbestos- and lead-containing materials.

Western Annex Alternative

A Phase 1 Environmental Site Assessment was performed for this site in December 2005. Land use at the site has historically been a mix of dwellings and commercial businesses. Commercial operations on-site have included restaurants, auto repair facilities, a vulcanizing facility, a printing shop, a leather company, an oil burner facility, a beverage bottling company, and an electroplating facility. Sanborn map review indicates several gasoline tanks associated with on-site automotive activities were present throughout the years. Previous commercial activities conducted on-site may have impacted the site.

Regulatory database information identified 9 federal ASTM listings (Resource Conservation Recovery Act Small Quantity Generators), and 54 state ASTM listings (Leaking Underground Storage Tanks and Underground Storage Tanks) within the standard ASTM search parameters. None of the listed sites are considered significant to the site due to prior remediation activities, or topographic and physical location (distance from the site).

Structures located on the site prior to the existing conditions include buildings that date back to the late 1800s. It is possible PCB-, asbestos-, and lead-containing materials exist in on-site structures or were buried on-site during prior building demolition activities.

Northern Annex Alternative

A Phase 1 Environmental Site Assessment was performed for this site in December 2005. Sanborn Fire Insurance Maps depict the presence of a large coal yard in the area of the bus station in 1898, which was replaced with residential and commercial buildings by 1910. Early coal yards often sold kerosene, fuel oil, and gasoline. The residential and commercial buildings remain on-site until sometime before 1950, when the majority of them are removed. The 1950 Sanborn map shows a filling station with five gasoline pumps and a bus station at the southern end of the site. The filling station is located under the current bus station, which replaced the old terminal by 1964.

A review of Sanborn Fire Insurance Maps also revealed the presence of an underground tank associated with the Rambler Garage & Supply Company (located in the central-western portion of the site) in 1910. On the 1928 Sanborn map, the northwest corner has been redeveloped as a motorcycle repair shop, a tin shop, and two battery stations. A warehouse situated in the center of the parcel is described as tar & pitch storage. In 1950, the Sanborn map indicates that one of the shops in the northwest corner is home to a "Paints and Oils" store.

A search of environmental regulatory databases identified one Underground Storage Tank (UST) located at 724 Granby Street, which is the address of the old Western Union building. The

database states that the 275-gallon diesel tank is currently in use. No leaks or violations have been reported. No evidence of this UST was observed during the survey. The owner of the building believes that the UST was removed a few years ago, but could provide no further information.

Due to the age of the on-site structures, lead-based paint, asbestos, and PCB-containing materials are likely to be present.

Eastern Annex Alternative

A formal Phase I Environmental Site Assessment has not been completed for this site. Land use at the site has historically been a mix of dwellings and commercial businesses. Sanborn fire insurance maps indicate that the residential dwellings were phased out after the early 1900s and the primary structures on-site became commercial. From the 1920s to the 1960s two filling stations with several gasoline tanks were present abutting the Eastern Annex Alternative to the east. The site has always served as a City street (north-south).

Regulatory database information identified six federal ASTM listings (Resource Conservation Recovery Act Small Quantity Generators). The state ASTM listings identified include: 34 Leaking Tanks (LTANKS); 31 Leaking Underground Storage Tanks (LUST); and 11 Underground Storage Tanks (UST), within the standard ASTM search parameters. One gas manufacturing plant was listed within a 1/4-mile from the site. None of these cases are anticipated to impact the Eastern Annex Alternative.

Tower Annex Alternative

A formal Phase I Environmental Site Assessment has not been completed for this site. The existing courthouse was built in the early 1930's. The central portion of the courthouse has always been vacant and used as a courtyard. No regulatory database information, aerial photograph coverage, or Sanborn map coverage was reviewed specifically relating to the Tower Annex Site. However, based on the site's proximity to the Eastern Annex Site, corresponding database information may be relevant.

Regulatory database information identified six (6) federal ASTM listings (Resource Conservation Recovery Act Small Quantity Generators). The state ASTM listings identified include: thirty-four (34) Leaking Tanks (LTANKS); thirty-one (31) Leaking Underground Storage Tanks (LUST); and eleven (11) Underground Storage Tanks (UST), within the standard ASTM search parameters. One gas manufacturing plant was listed within a 1/4-mile from the site. Again, none of these cases are anticipated to impact the Eastern Annex Site.

Based on anticipated groundwater flow and the topography of the sites, potential contamination at the Western, Southern and Eastern Annex Site is not anticipated to adversely impact the Tower Annex Site.

3.1.8 METEOROLOGICAL CONDITIONS

The climate of Norfolk is characterized by long warm and relatively humid summers and mild, dry winters. The average summer temperature is 77 degrees Fahrenheit (F) and the average daily

maximum temperature is 95 degrees F. In winter, the average temperature is 42 degrees F and the average daily minimum temperature is 33 degrees F. The total annual precipitation is 45 inches of which approximately 56 percent falls from April through September. The remaining 44 percent is more or less evenly distributed throughout the rest of the year. Most precipitation is in the form of afternoon thunderstorms. The average seasonal snowfall is 7.2 inches, mostly falling December through March. The area is affected by storms out of the northeast during fall, winter, and spring.

3.1.9 AIR QUALITY

Definition of Air Pollutants

The EPA defines ambient air in CFR 40, Part 50, as “that portion of the atmosphere, external to buildings, to which the general public has access.” In compliance with the 1970 Clean Air Act (CAA) and the 1977 and 1990 Amendments (CAAA), the EPA has promulgated ambient air quality standards and regulations. The National Ambient Air Quality Standards (NAAQS) were enacted for the protection of the public health and welfare, allowing for an adequate margin of safety. To date, the EPA has established NAAQS for six criteria pollutants: carbon monoxide (CO), sulfur dioxide (SO₂), particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM₁₀), ozone (O₃), nitrogen dioxide (NO₂), and lead (Pb). The health and welfare effects of the criteria pollutants are listed in Table 3-1.

There are two types of standards: primary and secondary. Primary standards are designed to protect sensitive segments of the population from adverse health effects, with an adequate margin of safety, that may result from exposure to criteria pollutants. Secondary standards are designed to protect human health and welfare and, therefore, in some cases, are more stringent than the primary standards. Human welfare is considered to include the natural environment (vegetation) and the manmade environment (physical structures). Areas that are below the standards are in “attainment,” while those that equal or exceed the standards are in “non-attainment.”

Under the CAA and the CAAA, state and local air pollution control agencies have the authority to adopt and enforce ambient air quality standards (AAQS) more stringent than the NAAQS. The Commonwealth of Virginia has also adopted ambient air quality standards that specify maximum permissible short-term and long-term consideration of various contaminants. These standards are generally the same as the national standards. National and Virginia standards for air quality are presented in Table 3-2.

Table 3-1: Description of NAAQS Criteria Pollutants

Sulfur dioxide (SO₂): A toxic, colorless gas with a distinctly detectable odor and taste. Oxides of sulfur in the presence of water vapor, such as fog, may result in the formation of sulfuric acid mist. Human exposure to SO₂ can result in irritation to the respiratory system, which can cause both temporary and permanent damage. SO₂ exposure can cause leaf injury to plants and suppress plants growth and yield. SO₂ can also cause corrosive damage to many types of manmade materials.

Particulates (PM₁₀): The PM₁₀ standard refers to inhalable particulate matter, which is defined as particulate matter less than 10 microns (0.01 millimeter) in diameter. The prior standard for Total Suspended Particulates (TSP) referred to airborne particulates less than 100 microns in diameter. Particulates originate from a variety of natural and anthropogenic sources. Some predominant anthropogenic sources of particulates include combustion products (wood, coal and fossil fuel), automotive exhaust (particularly diesels), and windborne dust (fugitive dust) from construction activities, roadways and soil erosion. Human exposure to inhalable particulate matter affects the respiratory system and can increase the risk of cancer and heart attack. Small particulates affect visibility by scattering visible light and when combined with water vapor can create haze and smog.

Carbon Monoxide (CO): A colorless, odorless, tasteless and toxic gas formed through incomplete combustion of crude oil, fuel oil, natural gas, wood waste, gasoline and diesel fuel. Most combustion processes produce at least a small quantity of this gas, while motor vehicles constitute the largest single source. Human exposure to CO can cause serious health effects before exposure is ever detected by the human senses. The most serious health effect of CO results when inhaled CO enters the bloodstream and prevents oxygen from combining with hemoglobin, impeding the distribution of oxygen throughout the bloodstream. This process significantly reduces the ability of people to do manual tasks, such as walking.

Nitrogen Dioxide (NO₂): A reddish-brown gas with a highly detectable odor, which is highly corrosive and a strong oxidizing agent. Nitric oxide (NO) and nitrogen dioxide (NO₂) constitute what are commonly referred to as nitrogen oxides (NO_x). NO_x are formed by all combustion and certain chemical manufacturing operations. During combustion, nitrogen (N) combines with oxygen (O) to form NO. This combines with more oxygen to form NO₂. Under intense sunlight, NO₂ reacts with organic compounds to form photochemical oxidants. Oxidants have a significant effect on atmospheric chemistry and are gaseous air pollutants that are not emitted into the air directly. They are formed through complex chemical reactions which involve a mixture of NO_x and reactive hydrocarbons (HC) in the presence of strong sunlight. Human exposure to NO₂ can cause respiratory inflammation at high concentrations and respiratory irritation at lower concentrations. NO is not usually considered a health hazard. NO_x reduce visibility and contribute to haze. Exposure to NO_x can cause serious damage to plant tissues and deteriorate manmade materials, particularly metals.

Ozone (O₃): An oxidant that is a major component of urban smog. O₃ is a gas that is formed naturally at higher altitudes and protects the earth from harmful ultraviolet rays. At ground level, O₃ is a pollutant created by a combination of HC, NO_x and sunlight, through photochemistry. Ground-level O₃ is odorless and colorless, and is the predominant constituent of photochemical smog. Human exposure to O₃ can cause eye irritation at low concentrations and respiratory irritation and inflammation at higher concentrations. Respiratory effects are most pronounced during strenuous activities. O₃ exposure will deteriorate manmade materials and reduce plants growth and yield.

Lead (Pb): Lead is in the atmosphere in the form of inhalable particulates. The major sources of atmospheric lead are motor vehicles and lead smelting operations. The EPA estimates that ambient concentrations have decreased dramatically in recent years (a drop of 70 percent since 1975) largely due to the decreasing use of leaded gasoline. Health effects from atmospheric lead occur through inhalation and consequent absorption into the bloodstream. Excessive lead accumulation causes lead poisoning with symptoms such as fatigue, cramps, loss of appetite, anemia, kidney disease, mental retardation, blindness and death.

Table 3-2: National and State Ambient Air Quality Standards

Pollutant	National		Virginia
	Primary Standard	Secondary Standard	State Standard
<u>Carbon Monoxide</u>			
1-hour Average	35 ppm	----	35 ppm
8-hour Average	9 ppm	----	9 ppm
<u>Sulfur Dioxide</u>			
Annual Arithmetic Mean	0.03 ppm	----	0.03 ppm
24-hour Average ^a	0.14 ppm	----	0.14 ppm
3-hour Average ^a	----	0.50 ppm	0.50 ppm
<u>Particulate Matter – PM_{2.5}</u>			
Annual Arithmetic Mean	50 µg/m ³	50 µg/m ³	15.0 µg/m ³
24-hour Average ^a	65 µg/m ³	65 µg/m ³	65 µg/m ³
<u>Particulate Matter – PM₁₀</u>			
Annual Arithmetic Mean	50 µg/m ³	50 µg/m ³	50 µg/m ³
24-hour Average ^a	150 µg/m ³	150 µg/m ³	150 µg/m ³
<u>Ozone</u>			
1-hour Average ^b	0.12 ppm	0.12 ppm	0.12 ppm
8-hour Average ^b	0.08 ppm	0.08 ppm	0.08 ppm
<u>Nitrogen Dioxide</u>			
Annual Arithmetic Mean	0.053 ppm	0.053 ppm	0.53 ppm
<u>Lead</u>			
Quarterly Average	1.5 µg/m ³	1.5 µg/m ³	1.5 µg/m ³

Source: U.S. EPA; Commonwealth of Virginia, State Air Pollution Control Board

a Maximum concentration not to be exceeded more than once per year.

b The standard is attained when the expected number of days per calendar year with a maximum hourly average concentration above 0.12 ppm is equal or less than one.

ppm parts per million
µg/m³ micrograms per cubic meter.

Regulatory Responsibilities

Although the EPA has the ultimate responsibility for protecting Ambient Air Quality, each state and local government has the primary responsibility for air pollution prevention and control. The CAA requires that each state submit a State Implementation Plan (SIP), which describes how the state will attain and maintain air quality standards in non-attainment areas. The SIP must be approved by the EPA for each criteria pollutant. The agency responsible for implementing the SIP in Virginia is the Department of Environmental Quality, Office of Air Quality Assessment. In order for projects to comply with the CAA and the CAAA, they must conform with attainment plans documented in the SIP.

Existing Air Quality

At present, the area in which the proposed action is located has been designated in compliance with the National Ambient Air Quality Standards for all pollutants, except the 8-hour standard for ozone. Currently, the 8-hour average standard for ozone puts the City of Norfolk in a marginal non-attainment status for ozone, with a requirement to obtain attainment by 2007.

3.1.10 NOISE

Noise is traditionally defined as any unwanted sound. Magnitudes of sound, whether wanted or unwanted, are usually described by sound, i.e., a dynamic variation in atmospheric pressure. The human auditory system is sensitive to fluctuations in air pressure above and below the barometric static pressure. These fluctuations are defined as sound when the human ear is able to detect pressure changes within the audible frequency range.

Since the range of sound pressure varies greatly, a logarithmic scale is used to related sound pressures to a common reference level and is represented as the decibel (dB). The decibel is the standard unit for sound measurement and represents acoustical energy present in the environment. Humans are capable of hearing only a limited frequency range of sound; generally, humans can hear frequencies ranging from 20 hertz (Hz, cycle per second) to 20,000 Hz; however, they do not hear all frequencies equally well. As a result, a frequency weighting, known as A-weighting, is commonly applied to the sound pressure level, which approximates the frequency response of the human ear by placing most emphasis on the frequency range of 1,000 to 5,000 Hz. Because this A-weighted scale closely describes the response of the human ear to sound, it is most commonly used in noise measurements. Table 3-3 provides examples of common sounds and noise levels expressed on the A-weighted decibel scale.

Table 3-3: Common Sounds Expressed in Decibels

	Decibels (dBa)	Level
Threshold of audibility	0	
Human breathing	5	Faint/Very faint
Rustle of leaves in the wind	10	Faint/Very faint
Average whisper	20	Faint/Very faint
Average residence w/out stereo playing	30	Faint/Very faint
Soft radio music in apartment	40	Faint/Very faint
Average office	50	Moderate
Near freeway auto traffic	60	Moderate
Stenographic room	70	Loud
School cafeteria w/ untreated surfaces	80	Loud
Noisy factory	85	Very loud
Noisy urban street	90	Very loud
Loud auto horn at 10 feet away	100	Very loud
Accelerating motorcycle a few feet away*	110	Deafening
Threshold of feeling: hard rock band	120	Deafening
Threshold of pain	130	Deafening
Near jet engine	140	Deafening

* Fifty feet from motorcycle equals noise at approximately 2,000 feet from a four-engine jet aircraft.

The sound level at a particular instant is not likely to be a good measure of noise levels that vary with time over a wide range, e.g., noise from vehicular movement. To better accommodate and assess the time-varying noise levels typically associated with traffic patterns, a time-averaged, single-number descriptor known as the “Level equivalent” (L_{eq}) is employed. The L_{eq} is expressed in dBA and represents the average energy content of sounds over a specified time

period. It includes both steady background sounds and transient, short-term sounds. It represents the level of steady sound which, when averaged over the sampling period, is equivalent in energy to the time-varying (fluctuating) sound level over the same period of time.

Noise may be more objectionable at certain times. This has led to the development of a measure known as the Day-Night Average Sound Level (L_{dn} or L_{10}). L_{dn} or L_{10} is a 24-hour average sound level that includes a penalty (10 dB) to sound levels during the night (10:00 PM to 7:00 AM). This measurement is often used to determine community noise levels and is endorsed by such agencies as the EPA, the Department of Transportation, the Department of Housing and Urban Development and the Department of Defense.

Two sets of criteria are of interest for the purposes of this environmental assessment:

- **Federal Highway Administration (FHWA) Criteria.** The FHWA has established noise abatement criteria for motor vehicle noise on roadways constructed with federal funds. A noise impact is considered to have occurred if predicted noise levels approach or exceed the standards presented in Table 3-4 or when the predicated traffic noise levels substantially exceed the existing noise levels (usually at least 10 dB above existing levels).
- **Federal Aviation Administration (FAA) Criteria.** The FAA has established noise criteria that pertain to aircraft and airport-associated noise impacts, and has established guidelines for determining noise levels considered acceptable for certain compatible land uses. The guidelines employ the L_{dn} method of measurement and consider all land uses to be compatible with noise levels less than 65 L_{dn} , as indicated in Table 3-5.

Table 3-4: FHWA Noise Standards

Activity Category	L_{eg} (h)	L_{10} (h)	Description of Activity Category
A	57	60	Lands for which serenity and quiet are of extraordinary significance and which serve an important public need, and where preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B	67	70	Picnic areas, recreational parks, playgrounds, active sport areas and parks, residences, motels, hotels, schools, churches, libraries, and hospitals. (Outdoor sound level)
C	72	75	Developed lands, properties or activities not included in Category A or B above. (Outdoor sound level)
D	---	---	Undeveloped lands.
E	52	55	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals and auditoriums. (Indoor sound level)

Existing Noise Levels

All sites are located downtown Norfolk, a relatively noisy urban environment with noise sources primarily associated with vehicular traffic. Observations during field inspections revealed that midday noise levels were relatively low, due primarily to low levels of vehicular traffic near each site.

**Table 3-5: FAA Guidelines on Land Use Compatibility
with Respect to Noise**

Land Use	Yearly Day-Night Average Sound Levels (L ₁₀)					
	Below 65	65-70	70-75	75-80	80-85	Over 85
<i>Residential</i>						
-Residential, other than mobile home parks and transient lodgings	Y	N ²	N ²	N	N	N
-Mobile home parks	Y	N	N	N	N	N
-Transient lodgings	Y	N ²	N ²	N ²	N	N
<i>Public Use</i>						
-Schools, hospitals and nursing homes	Y	25	30	N	N	N
-Churches, auditoriums and concert halls	Y	25	30	N	N	N
-Government services	Y	Y	25	30	N	N
-Transportation	Y	Y	Y ³	Y ⁴	Y ⁵	Y ⁵
-Parking	Y	Y	Y ³	Y ⁴	Y ⁵	N
<i>Commercial Use</i>						
-Offices, business and professional	Y	Y	25	30	N	N
-Wholesale and retail – building materials, hardware and farm equipment	Y	Y	Y ³	Y ⁴	Y ⁵	N
-Retail trade – general	Y	Y	25	30	N	N
-Utilities	Y	Y	Y ³	Y ⁴	Y ⁵	N
-Communication	Y	Y	25	30	N	N
<i>Manufacturing and Production</i>						
-Manufacturing, general	Y	Y	Y ³	Y ³	Y ⁵	N
-Photographic and optical	Y	Y	25	30	N	N
-Agriculture (except livestock) and forestry	Y	Y ⁷	Y ⁸	Y ⁹	Y ⁹	Y ⁹
-Livestock farming and breeding	Y	Y ⁷	Y ⁸	N	N	N
-Mining and fishing, resource production extraction	Y	Y	Y	Y	Y	Y
<i>Recreational</i>						
-Outdoor sports arenas and spectator sports	Y	Y ⁶	Y ⁶	N	N	N
-Outdoor music shells and amphitheatres	Y	N	N	N	N	N
-Nature exhibits and zoos	Y	Y	N	N	N	N
-Amusements, parks, resorts and camps	Y	Y	Y	N	N	N
-Golf courses, riding stables and water recreation	Y	Y	25	30	N	N

Y (Yes) Land use and related structures are compatible without restrictions.

N (No) Land use and related structures are not compatible and should be prohibited.

25/30/35 Land use and related structures are generally compatible; measures to achieve noise level reduction (NLR) of 25, 30 or 35 dB must be incorporated into design and construction.

Footnote notations refer to "Notes" below.

Table 3-5 (Continued)
FAA Guidelines on Land Use Compatibility with Respect to Noise¹

Notes

1	The designations contained in this table do not constitute a federal determination that any use of land covered by the program is acceptable or unacceptable under federal, state or local law. The responsibility for determining the acceptable and permissible land uses remains with the local authorities. FAA determinations under Part 150 are not intended to substitute federally determined land uses for those determined to be appropriate by local authorities in response to locally determined needs and values in achieving noise-compatible land uses.
2	Where the community determines that residential uses must be allowed, measures to achieve outdoor-to-indoor noise level reduction (NLR) of at least 25 bD should be incorporated into building codes and be considered in individual approvals. Normal construction can be expected to provide NLR of 20 dB; therefore, the reduction requirement is often stated as 5, 10 or 15 dB over standard construction and normally assumes mechanical ventilations and closed windows year-round. However, the use of NLR criteria will not eliminate outdoor noise problems.
3	Measures to achieve NLR of 25 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas, or where the normal noise level is low.
4	Measures to achieve NLR of 30 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas, or where the normal noise level is low.
5	Measures to achieve NLR of 35 dB must be incorporated into the design and construction of portions of these buildings where the public is received, office areas, noise-sensitive areas, or where the normal noise level is low.
6	Land use is compatible provided that special sound reinforcement systems are installed.
7	Residential buildings require NLR of 25 dB.
8	Residential buildings require NLR of 30 dB.
9	Residential buildings are not permitted.

Source: Federal Aviation Regulations, "Part 150 – Airport Noise Compatibility Planning," Appendix B.

3.2 SOCIAL ENVIRONMENT

This portion of the EA presents baseline community and regional characteristics of the area potentially affected by the proposed action. It includes an overview of the community's economy, employment patterns, demographic characteristics and physical networks such as the regional transportation system. The proposed action can be expected to impact these conditions during both the construction and operational phases. Existing conditions in the immediate vicinity of the sites are also presented for later discussion of potential noise, air quality, traffic and land use impacts.

3.2.1 DEMOGRAPHICS

Metropolitan Region

According to the U.S. Census, the population of the metropolitan region of Norfolk, Virginia Beach and Newport News in 1990 consisted of 1,430,974 persons (Table 3-6). From 1990-2000, population in the region increased by 8.4 percent (20,377) to a 2000 population of 1,551,351.

With regard to age in 2000, 589,458 residents (37.5 percent) were reported to be less than 24 years of age, 695,774 residents (44.3 percent) were between the ages of 25 and 54 years and 122,706 residents (7.8 percent) were between 55 and 64 years of age (Table 3-7). The remaining 161,603 residents of the region (10.3 percent) were 65 years and older.

City of Norfolk

According to the Bureau of Census, the City of Norfolk's population decreased 10.3 percent between 1990 and 2000. In 1990, the population of Norfolk was 261,250, and by 2000, the population was 234,403 (Table 3-6).

With regard to age in 2000, 99,035 residents (42.2 percent) were estimated to be less than 24 years of age, 95,199 residents (40.6 percent) were estimated to be between the ages of 25 and 54 years and 14,637 residents (6.3 percent) were estimated to be between 55 and 64 years of age (Table 3-7). The remaining 25,532 City residents (10.9 percent) were estimated to be 65 years and older.

Downtown Norfolk

According to the City of Norfolk Planning Department, Downtown Norfolk is generally bound by Addison Street on the north, St. Paul's Boulevard on the east and the Elizabeth River on the west and south. The district had a population of 2,402 in 1990 (Table 3-6). By 2000, the population increased by approximately 19.9 percent to a population of 2,881. With regard to age in 2000, 547 residents (19.0 percent) were estimated to be less than 25 years of age, 1,843 residents (64.0 percent) were estimated to be between the ages of 25 and 54 years and 194 residents (6.7 percent) were estimated to be between 55 and 64 years of age (Table 3-7). The remaining 297 downtown residents (10.3 percent) were estimated to be 65 years of age and older.

Table 3-6: Population Trends 1990-2000

Area	1990	2000	Actual Change 1990-2000	% Change 1990-2000
Metropolitan Region*	1,430,974	1,551,351	120,377	8.4%
City of Norfolk	261,250	234,403	(26,847)	-10.3%
Downtown Norfolk	2,402	2,881	479	19.9%

Source: United States Census Bureau, 2000.

* Geographic area: Norfolk, Virginia Beach and Newport News

Table 3-7: Population By Age Group-2000

AGE	Metro Region		City of Norfolk		Downtown Norfolk	
	Actual Population	% of Total Population	Actual Population	% of Total Population	Actual Population	% of Total Population
Under 5 years	109,223	7.0%	16,546	7.1%	27	1.0%
5 to 24 years	480,235	30.5%	82,489	35.2%	520	18.1%
25 to 34 years	230,379	14.7%	36,620	15.6%	819	28.4%
35 to 44 years	267,230	17.0%	33,569	14.3%	652	22.6%
45 to 54 years	198,165	12.6%	25,010	10.7%	372	12.9%
55 to 64 years	122,706	7.8%	14,637	6.3%	194	6.7%
65 years and over	161,603	10.3%	25,532	10.9%	297	10.3%

Source: United States Census Bureau, 2000.

3.2.2 HOUSING

The Metropolitan Region

According to the 2000 U.S. Census, the housing inventory of the metropolitan region consisted of 608,648 total units (Table 3-8). Of the total, 570,575 (93.8 percent) were occupied and 37,901 (6.2 percent) were vacant. Of the occupied housing units, 358,199 (62.8 percent) were owner-occupied and 212,558 (37.2 percent) were renter-occupied. The average number of persons in an owner-occupied housing unit was 2.7 persons and 2.4 persons in a renter-occupied unit.

City of Norfolk

Norfolk's housing inventory in 2000 consisted of 94,416 total housing units (Table 3-8). Of the total units, 86,210 (91.3 percent) were occupied and 8,206 (8.7 percent) were vacant. Of the occupied units, 39,238 (45.5 percent) were owner-occupied and 46,972 (54.5 percent) were renter-occupied. The average number of persons in an owner-occupied housing unit was 2.5 persons while 2.4 persons per unit was the average number of occupants in a renter-occupied unit.

Table 3-8: Selected Housing Characteristics-2000

Description	Region	City of Norfolk
Housing Units		
Total	608,648	94,416
Owner-Occupied	358,199	39,238
Percent Owner-Occupied	62.8%	41.6%
Renter-Occupied	212,558	46,972
Percent Renter-Occupied	37.2%	49.8%
Vacant	37,891	8,206
Percent Vacant	6.2%	8.7%
Average Number of Persons in Occupied Housing Units		
Owner-Occupied Units	2.7	2.5
Renter-Occupied Units	2.4	2.4

Source: United States Census Bureau, 2000

3.2.3 RELOCATION CONSIDERATIONS

Southern Annex Alternative

The property proposed for the Southern Annex Alternative is currently occupied by a building that was recently renovated with condominiums, The Lofts at 500 Granby, and a restaurant, Baxter's Sports Bar, as well as a civic plaza. The building, formerly known as the Showcase Building, occupies the northwestern half of the site while the plaza is situated on the southeastern half.

Western Annex Alternative

The property proposed for the Western Annex Alternative generally comprises the eastern half of two blocks, adjacent to Granby Street. The site is currently unimproved and ground was recently broken on-site for a proposed 31-story condominium, Granby Tower. There are 302 units proposed for this building.

Northern Annex Alternative

The property proposed for the Northern Annex Alternative is currently occupied by a Greyhound Bus terminal (southern portion of the site), a Sheriff's satellite office (northeast corner of site), a

vacant diner (central-eastern portion of the site), and a former Western Union building (northwest corner of site).

Eastern Annex Alternative

The property proposed for the Eastern Annex Alternative currently serves a six-lane road (north-south) identified as Monticello Avenue. The proposed site also includes the abutting sidewalk easements both east and west of Monticello Avenue. No businesses or residences are located on this property.

Tower Annex Alternative

The property proposed for the Tower Annex Alternative is within the courtyard for the Walter E. Hoffman United State Courthouse. The site would include seven floors above the existing courthouse.

3.2.4 COMMUNITY SERVICES AND FACILITIES

Law Enforcement

The Norfolk Police Department is the principal law enforcement agency in the City. The department employs approximately 699 sworn officers, with headquarters located at 100 Brooke Avenue, approximately 1.5 miles from the proposed sites. The department has mutual aid agreements with surrounding law enforcement agencies, such as police departments in Chesapeake, Virginia Beach, and Old Dominion University, as well as an agreement with the Virginia State Police. All emergency calls are received and processed through a central 911 dispatch system.

Educational Facilities

Public education in Norfolk is provided by the Norfolk Public School System. The school system consists of 34 elementary schools, one school for grades K-8, nine middle schools, and five high schools. Additionally, Norfolk has twelve auxiliary/other schools which include pre-schools and vocational schools. Student enrollment for the 2004-2005 school year was approximately 34,914 and the system employed approximately 3,800 teachers. The average expenditure per pupil was approximately \$8,099 per year. The graduation rate ranges from 64.0 percent to 81.8 percent.

The Norfolk area has a variety of colleges and universities available for advanced degrees and continuing education. The Eastern Virginia Medical School, one of the three medical schools in Virginia, collaborates with over 20 hospitals and clinics in the area. The Norfolk State University, an historically African-American university, has a student enrollment of 7,200 and offers 4 Associate, 32 Bachelors, 19 Masters, and 2 Doctorate degree programs of study. Old Dominion University has a current enrollment of over 18,000 students and offers 67 Bachelors, 65 Masters, and 26 Ph.D. programs. Career and continuing education programs are provided by Tidewater Community College, Johnson & Wales University and Hampton Roads Maritime Academy, all located in Norfolk.

Medical Facilities

There are a wide range of medical facilities in proximity to the project area (see Table 3-9). The closest hospital (including emergency care), DePaul Medical Center, is a 366-bed facility located at 150 Kingsley Lane, approximately one mile from the courthouse area. This hospital has more than two dozen doctors providing a variety of services with the support of nearly 200 nurses.

The closest medical facility, Norfolk Medical Center, is located on 2539 Corpview Avenue, less than one mile away from the proposed sites. The center currently has nine physicians providing cardiovascular, ophthalmology, pediatrics, laboratory services, obstetrics and women's services.

There are two branches of the Sentara Healthcare System in the vicinity, one with medical facilities located less than 1.5 miles from the sites. Sentara Norfolk General Hospital is a 569-bed medical facility that specializes in services such as cardiac, high-risk pregnancy, invitro-fertilization, trauma services, microsurgery and reconstructive surgery. Sentara Leigh Hospital is a 250-bed hospital which features all private rooms and specializes in orthopedic, gynecological, general and urological services. Additional medical facilities located in Norfolk include: Children's Hospital of the King's Daughter's (166 beds), Lake Taylor Hospital (289 beds), and Norfolk Psychiatric Center (77 beds).

Table 3-9: Medical Facilities

Medical Facility	Address	Proximity to Sites	# of Beds
Norfolk Medical Center	2539 Corpview Avenue	< 1 mile	n/a
Children's Hospital of the King's Daughters	601 Children's Lane	1 mile	166
Sentara Norfolk General Hospital	600 Gresham Drive	1.3 miles	569
Hospital for Extended Recovery	600 Gresham Drive	1.3 miles	35
DuPaul Medical Center	150 Kingsley Lane	3 miles	366
Lake Taylor Transitional Care Hospital	1309 Kempsville Road	6 miles	289
Sentara Leigh Hospital	830 Kempsville Road	7 miles	250
Norfolk Psychiatric Center	860 Kempsville Road	8 miles	77

Fire Protection and EMS Services

Fire protection in the city is the responsibility of the Norfolk Fire and Paramedical Services (NFPS). The department responds to fire, emergency medical, heavy rescue, hazardous materials and radiological incidents in the City, as well as natural disasters within a 65 square mile radius. There are currently approximately 500 firefighter/EMTs in the department. All of

the department's personnel have cross-certification as both firefighters and paramedics. The department has 14 fire stations that support 13 engine companies, 7 ladder companies, 10 ambulances and 2 rescue companies, and are divided into three operational battalions. Each engine company is staffed with a Lieutenant, Operator, and Firefighter/Tillerman. Each ladder company is staffed with a Lieutenant, Operator, and two Firefighter/Medics. A typical fire response consists of three engine companies, one ladder company, one squad company, a battalion chief and one ambulance. On average, EMS-related calls have a response time of approximately six minutes or less, while average fire-related calls have a response time of approximately four minutes or less. All calls are dispatched through an enhanced 911 system. The department has mutual aid agreements with all surrounding cities and the naval base.

Due to its proximity to the courthouse, Station 1, located at 450 St. Paul's Boulevard, would be the first to arrive in the event of an emergency. Companies at Station 1 include: Engine 1, Ladder 1, Medic 1, Air Unit 1, Boat 1, and Battalion 1.

3.2.5 LAND USE

All sites are located in downtown Norfolk in an area of the City's earliest major commercial streets (Granby Street).

The City's General Plan, adopted in 1992, sets policy and provides direction for public and private investment in the City for the next 20 years. The Southern, Western, Tower, and Eastern Annex sites are depicted in the Downtown Plan as mixed-use development, with a very small portion of the Eastern Annex site depicted as Educational, Recreational, Cultural, Open Space, and Environmentally Sensitive. The Northern Annex Alternative is depicted as Commercial / Office Use.

Southern Annex Alternative

The property proposed for the Southern Annex Alternative is currently occupied by a building that was recently renovated with condominiums and a restaurant as well as a civic plaza. The building, formerly known as the Showcase Building, occupies the northwestern half of the site while the plaza is situated on the southeastern half.

Western Annex Alternative

The property proposed for the Western Annex Alternative generally comprises the eastern half of two blocks, adjacent to Granby Street. The property is currently unimproved. Construction recently began onsite for the Granby Tower, a luxury condominium that will include 302 units.

Northern Annex Alternative

The property proposed for the Northern Annex Alternative is currently occupied by a Greyhound Bus terminal (southern portion of the site), Sheriff's satellite office (northeast corner of site), a vacant diner (central-eastern portion of the site), and a former Western Union building (northwest corner of site).

Eastern Annex Alternative

The property proposed for the Eastern Annex Alternative currently serves a six-lane road (north-south) identified as Monticello Avenue. The proposed site also includes the abutting sidewalk easements both east and west of Monticello Avenue.

Tower Annex Alternative

The property proposed for the Tower Annex Alternative is the existing site of the Walter E. Hoffman United States Courthouse. The Tower Annex Alternative would be built within the courtyard for the existing Walter E. Hoffman United States Courthouse and would extend seven floors above the existing courthouse. Use of this site for the development of an annex would also include closing of two lanes of Monticello Avenue between Bute Street and Brambleton Avenue and Bute Street between Monticello Avenue and Granby Street.

3.2.6 ZONING

Southern Annex Alternative

The Southern Annex Alternative is located within the City's Freeman/Granby Conservation and Mixed Use District (D-3 zone). Permitted uses in the D-3 zone include government buildings, as well as residences, offices and institutional uses, among others.

Western Annex Alternative

The Southern Annex Alternative is located within the City's Freeman/Granby Conservation and Mixed Use District (D-3 zone). Permitted uses in the D-3 zone include government buildings, as well as residences, offices and institutional uses, among others.

Northern Annex Alternative

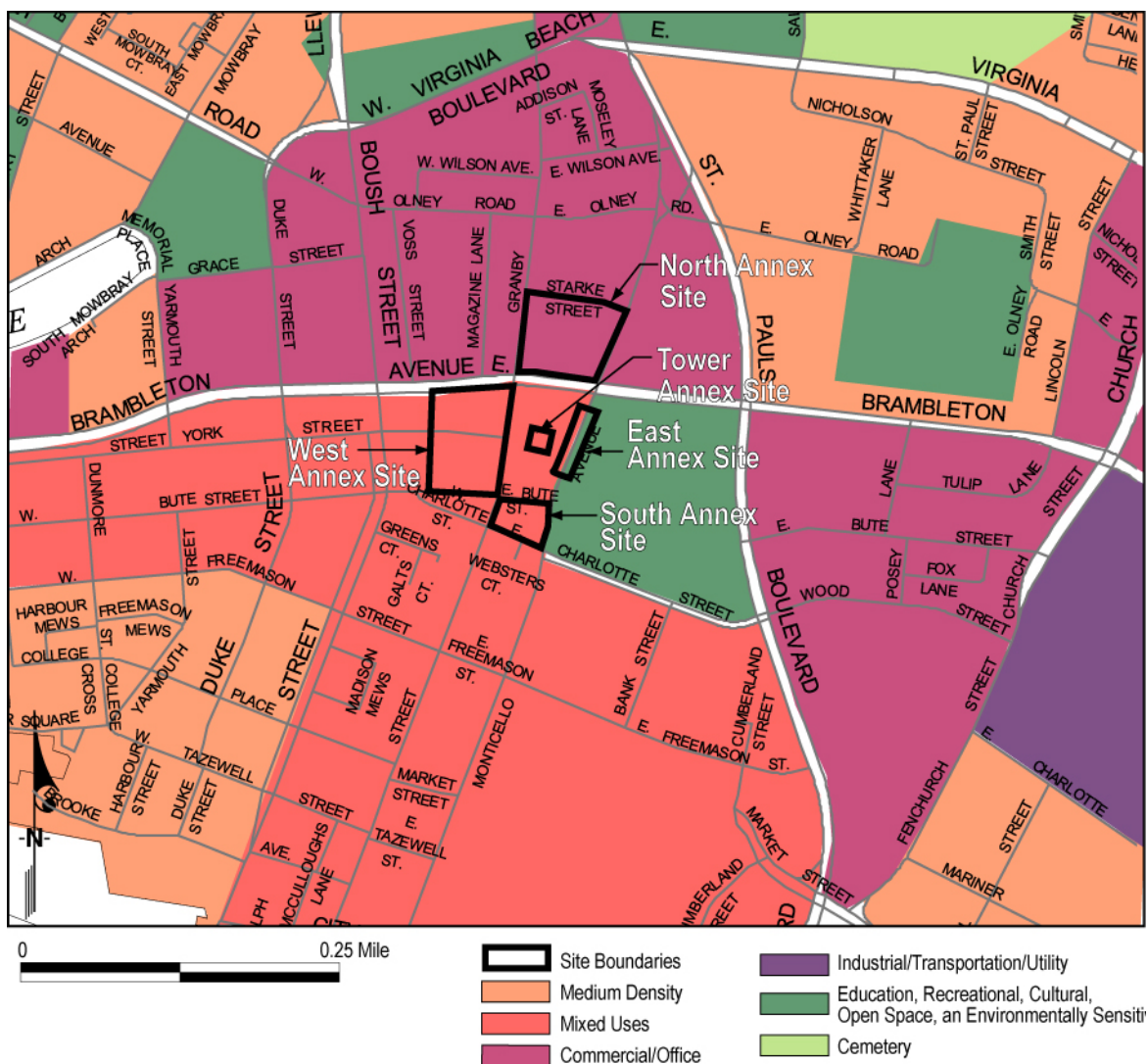
The Southern Annex Alternative is located within the City's Downtown Cultural and Convention Center District (D-4 zone). Permitted uses in the D-4 zone include offices (including government buildings), retail and residential development.

Eastern Annex Alternative

The Southern Annex Alternative is located within the City's Freeman/Granby Conservation and Mixed Use District (D-3 zone) and the Downtown Cultural and Convention Center District (D-4 zone). Permitted uses in the D-3 zone include government buildings, as well as residences, offices and institutional uses, among others. Permitted uses in the D-4 zone include offices (including government buildings), retail and residential development. However, the emphasis of public actions in this area will be to promote uses that relate to the arts, visitors and entertainment.

Tower Annex Alternative

The Tower Annex Alternative is located within the City's Freeman/Granby Conservation and Mixed Use District (D-3 zone). Permitted uses in the D-3 zone include government buildings, as well as residences, offices and institutional uses, among others. This parcel is federally owned property and is not subject to local zoning.



Source: City of Norfolk, Office of Planning 2005

Figure 3-3: Planned Land Use



Figure 3-4: Zoning

3.2.9 ECONOMY AND EMPLOYMENT

The Metropolitan Region

According to the Virginia Employment Commission, in 2000 the metropolitan region's civilian labor force consisted of 710,361 persons (Table 3-9). Between 2000 and 2004, the civilian labor force increased 7.3 percent (56,606 persons) to 766,967.

Between 2000 and 2004, unemployment in the region increased by 1.7 percent, from 2.5 percent to 4.2 percent. In 2004, 31,941 persons were unemployed and in 2000, 17,908 persons were unemployed.

Based on data from the Census and the Bureau of Economic Analysis, in 2000 per capita income in the region was \$26,364 (Table 3-10). In 2004, per capita income had increased by 10.3 percent (\$3,013) to \$29,377.

City of Norfolk

According to the Virginia Employment Commission, Norfolk's civilian labor force consisted of 92,248 persons in 2000 (Table 3-10). The civilian labor force in 2004 consisted of 99,974 persons, an increase of 7.7 percent (7,726 persons) since 2000.

The unemployment rate in Norfolk was 3.3 percent in 2000 (Table 3-9). Between 2000 and 2004, the unemployment rate in the City of Norfolk increased by 2.1 percent. The number of unemployed persons also increased from 3,061 persons in 2000 to 5,431 persons in 2004.

Based on data from the Census and the Bureau of Economic Analysis, per capita income in Norfolk in 2000 was \$23,546 (Table 3-10). By 2000, the per capita income had increased by 9.0 percent to \$25,895.

The Virginia Employment Commission maintains a list of Norfolk's largest private employers (VEC, 2006). In 2005, the list included: Sentara Norfolk General Hospital, Landmark Inc., Old Dominion University, Norfolk Shipbuilding & Drydock, Ford Motor Company Assembly Plant, Landmark Publishing, Norfolk General Hospital, The Virginian-Pilot, Children's Hospital of the King's Daughters, Eastern Virginia Medical School, and Bon Secours DePaul Medical Center.

**Table 3-10: Labor Force, Unemployment Rates,
and Per Capita Income Trends: 2000-2004**

		Labor Force	Unemployment Rate	Per Capita Income
Region±	2000	710,361	2.5%	\$26,364
	2004	766,967	4.2%	*\$29,377
	% Change	7.3%	1.7%	10.3%
City of Norfolk	2000	92,248	3.3%	\$23,546
	2004	99,974	5.4%	*\$25,895
	% Change	7.7%	2.1%	9.0%

± Region: Norfolk, Virginia Beach and Newport News

Sources: Virginia Employment Commission, 2005; U.S. Census, 2000: *Bureau of Economic Analysis (2003 data)

3.2.10 FISCAL CONSIDERATIONS

Fiscal considerations of federal projects are of particular interest to local governments due to the possible loss of local tax revenue. The State of Virginia levies a 6 percent corporate tax on businesses; a 5.75 percent individual income tax on incomes greater than \$17,001 on residents within the state; and a 5.5 percent retail sales tax (on non-food items).

3.2.11 AESTHETICS AND VISUAL RESOURCES

All the sites are located in downtown Norfolk. This area is characterized by modern high-rise office and commercial buildings, as well as eighteenth and nineteenth century office, warehouse and residential structures.

The existing courthouse, constructed between 1932 and 1934 by the federal Works Progress Administration, reflects the Art Deco style of architecture prevalent in the period (Figure 3-5). The four story building is constructed largely of light grey plain and ornamental limestone. The base of the building consists of black granite while facades are embellished with case aluminum spandrels, grilles and trim characteristic of the Art Deco style. The main building entrance steps are of pink granite flanked by black granite plinths upon which rest case aluminum lanterns. Many of the original aluminum windows were replaced during renovations that occurred in 1984. The replacement windows matched the appearance and operation of the original units. Upon its completion in 1934, the courthouse had a tremendous influence on building construction in the area, as an attempt was made to create a unified appearance.



Figure 3-5: Walter E. Hoffman United States Courthouse

Southern Annex Alternative

The Southern Annex Site is comprised of a sports lounge housed in the first floor of the former five-story Showcase Furniture Store that has been renovated for use as condominiums, The Lofts at 500 Granby (Figure 3-6). The former Showcase Furniture store reflects the International style of architecture, with a limestone façade and steel ribbon windows on the upper floors. The ground floor consists of textured concrete block, plate-glass windows with aluminum frames, aluminum door and a sheet-aluminum signboard façade. Behind the building along Monticello Avenue is a parking lot for the condominium residents.



Figure 3-6: Southern Annex Site - The Former Showcase Furniture Store – The Lofts at 500 Granby

Western Annex Alternative

The Western Annex Site is currently unimproved and Granby Tower, a condominium project, is currently being constructed on the former parking areas both north and south of York Street on the Western Annex Alternative (Figure 3-7). Adjacent to the site are five buildings that are contributing resources to the Downtown Norfolk Historic District. Four of these five buildings clearly reflect the influence of the existing courthouse in their design, materials, styling and detailing. The structure located at 109 West York Street is a one-story brick, flat roof building in the Commercial style. The structure located at 111-115 Brambleton Avenue (112 West York Street) is a two-story brick, flat roof building in the Art Moderne style, whose principal façade along West York Street consists of cut limestone with a polished marble base. The structure located at 199 West York Street is also a two-story brick, flat roof building in the Art Moderne style. The main façade of the structure, which is set well back from West York Street, is faced with limestone on the second floor and stucco on the ground floor. The building also has decorative steel window grilles and a second-floor balcony. The structure located at 118-128 West York Street is a two-story brick flat roof building in the Art Deco style, whose principal façade consists of cut limestone with a polished marble base. The massing and main elevation of this structure has remained virtually intact. Finally, the structure located at 118 Bute Street is a one-story brick, flat roof building in the Art Deco style, whose principal façade consists of cut limestone with a polished marble base. The building's main façade, including its aluminum windows and glass-block entrance wall has survived intact.



Figure 3-7: Western Annex Site – Future Granby Tower Condominiums

Northern Annex Alternative

The Northern Annex Site is comprised of a large parking lot, two one-story, block and brick buildings, a brick and frame one-story restaurant, and the Greyhound Bus Terminal (Figure 3-8). The bus terminal is a one-story, cinder-block and steel structure with brick faced walls along Brambleton Avenue from Granby Street to Monticello Avenue. At 723 Monticello Avenue sits a one-story, cross-gabled brick and frame building that is planned as a new restaurant. The building at 724 Granby Street is a one-story block and brick structure with a flat roof. The building has no windows and a single entrance door facing Granby Street. At 731 Monticello Avenue sits a one-story, block and brick structure with flat roof. The facades facing both Monticello Avenue and Starke Street are faced with brick. This building houses the Pretrial Services office of the Norfolk Sheriff's Department. The remaining space within this block consists of parking lots where buildings formerly stood.



Figure 3-8: Northern Annex Site - The Greyhound Bus Station

Eastern Annex Alternative

The Eastern Annex Site consists of Monticello Avenue and its right of way, which is a divided roadway; a portion of the Walter E. Hoffman United States Courthouse lot; and a portion of the Chrysler Hall and Norfolk Scope Arena lot (Figure 3-9). The Chrysler Hall and Norfolk Scope Arena serves as a venue for entertainment and sporting events. The site is bounded on the south by Bute Street, on the north by Brambleton Avenue, and on the east by the present Walter E. Hoffman United States Courthouse; and on the west by the Norfolk Scope Arena.



Figure 3-9: Eastern Annex Site – Monticello Avenue

Tower Annex Alternative

The Tower Annex Site consists of the existing Walter E. Hoffman U.S. Courthouse building. Constructed between 1932 and 1934 by the Federal Works Progress Administration, the building reflects the Art Deco style of architecture. It is a four-story building of light grey plain and ornamental limestone with a base of black granite.

3.3 CULTURAL ENVIRONMENT

Cultural Background

Section 101(b)(4) of the National Environmental Policy Act of 1969 (P.L. 91-190), as amended, requires the Federal government to coordinate and plan its actions to, among other goals, "preserve important historic, cultural and natural aspects of our national heritage..." Council on Environmental Quality (CEQ) requires Federal agencies to include analysis of the potential impacts to historic and cultural resources as part of the NEPA process.

The evaluation of the potential for archaeological resources within each of the proposed alternatives began with background research. The initial literature search consisted of a review of existing surveys and identified historic structures and archaeological sites. This determined the level of previous identification studies and the nature of historic properties in and around each of the proposed alternate locations. This process included a review of the archives, files and maps at the offices of the Virginia Department of Historic Resources (VDHR) in Richmond and the VDHR regional office in Newport News. A review of listings in the National Register of Historic Places (NRHP) for Norfolk was also conducted. Background research entailed discussions with individuals and organizations knowledgeable about local history and resources including the staff of the regional VDHR office in Newport News. County histories and historic maps were also consulted. Historic structure survey and archaeological contract reports documenting the results of previous survey efforts conducted in the vicinity of each of the alternatives were reviewed as part of the background research conducted for this project, as were the state historic structure and archaeological site files. Of importance was an environmental assessment conducted in 2001 for portions of the western and southern alternatives (Berger 2001).

Prehistoric Context

The Coastal Plain of Virginia was occupied for 10,000 years by relatively small populations who lived by hunting and gathering wild resources. Archeologists divide this time span into three general periods: the Paleoindian period, from ca. 10,500 BC to 8,000 BC; the Archaic period, from ca. 8,000 BC to 1,000 BC; and the Woodland period, from ca. 1,000 BC to European contact at approximately 1600 AD. These early populations left numerous relatively small sites in environmentally productive areas.

The human habitation of the region began in the Paleoindian period, around 10,500 BC. In the archaeological record, early Paleoindian sites are usually recognized by the presence of large, fluted, lanceolate shaped projectile points such as Clovis, while later Paleoindian components are represented with projectile point types such as Dalton/Hardaway. Paleoindian hunter-gatherers probably traveled long distances to obtain food and the raw materials for tool production, as has been shown by studies of lithic procurement systems centered on the Thunderbird site in Virginia and other Mid-Atlantic region sites (Gardner 1977; Custer 1984).

The Archaic period is traditionally subdivided into three subperiods; Early, Middle, and Late. In the Mid-Atlantic region, Archaic period sites are much more numerous, are larger, and are richer in artifacts than are the earlier Paleoindian period sites. Archaic period sites represent a series of cultural adaptations that evidence increased sedentism and a focus on large rivers and major

tributaries. Other, often smaller, sites located away from the main streams probably represent seasonal or other specialized activity habitations. Increasing territoriality and regional diversity are reflected in the varieties of artifacts, especially projectile points, associated with the Archaic period. As Archaic peoples became more sedentary, they turned to using local lithic materials such as quartz and quartzite, in contrast to the Early Archaic period when the preferred lithic material was imported, often from great distances.

The introduction of pottery making technology around 1,000 BC marks the beginning of the Woodland period. Innovations in ceramic types have become a significant means for dating deposits within the Woodland period. It was previously thought that the divide between the Archaic and Woodland periods, around 1,000 BC, represented the introduction of horticulture. Although cultivated plants were used by Early Woodland groups in the South and Midwest, there is presently little evidence that cultivated foods played a role in the diet of Early Woodland people in Mid-Atlantic region. Very efficient hunting and gathering systems (Caldwell 1958), including riverine and marine species, may have diminished the need for cultigens. Only after AD 800 to 900, when varieties of tropical cultigens adapted to local conditions arrived in the Mid-Atlantic region, did cultivated foods begin to assume an important role (Smith 1995).

Starting about 2,500 to 1,500 years ago, larger and more sedentary populations occupied the Coastal Plain of Virginia. This late prehistoric time span is divided by archeologists into the Middle Woodland and the Late Woodland subperiods. The more sedentary lifestyle was enabled by intensive use of estuarine resources and, at some point in this time span, the introduction of domesticated plants such as corn, beans, and squash. Most villages were located near a river, with interior areas being utilized for gathering of wild plants and hunting.

Historic Context

Before and during the initial arrival of the English into Virginia, the site of what is now Norfolk was originally the Chesapeake Indian town called Skicoak. Permanent English settlement of the region began in the early seventeenth century with the settlement at Jamestown. By 1634, the population in the vicinity of Norfolk, then part of Elizabeth City Shire, was approximately 5,000. Norfolk, as part of Norfolk Borough, was formed from Norfolk County in 1691. The City of Norfolk was laid out in 1682 and incorporated in 1845. It became an independent city from Norfolk County in 1871. A stable agricultural society, based heavily on tobacco, emerged in Norfolk County during the seventeenth century. The City of Norfolk became a major center for merchants and craftsmen that serviced the surrounding agricultural communities. It also had a major role as a point of shipment for agricultural goods, mainly tobacco.

Norfolk continued to grow during the latter seventeenth and eighteenth centuries, until the period of the American Revolution. During the American Revolution, on New Year's Day 1776, the loyalist governor of Virginia, Lord Dunmore shelled the city destroying 800 buildings. This amounted to almost two-thirds of the city. The colonists later destroyed another 400 buildings as part of a scorched earth policy, nearly destroying the entire city. After seven years the British blockade was ended and the city was rebuilt. Norfolk was the only American city to be completely destroyed during the American Revolution and was subsequently completely rebuilt.

After the American Revolution, a U.S. naval shipyard was established in Norfolk, being constructed in 1801. During the first half of the nineteenth century steam ferries, railroads, and

turnpikes increased Norfolk's connections with the rest of Virginia and other nearby states. As mentioned above, the City of Norfolk was incorporated in 1845 and became an independent city in 1871. Calamity struck Norfolk in 1855, when the city suffered an epidemic of yellow fever, which killed one of every three citizens.

During the Civil War, William Mahone, builder of the Norfolk and Petersburg Railroad in 1858, commanded the city's defenses during the period of Confederate occupation. Norfolk was also the scene of one of the most important naval battles fought during the Civil War. During 1862 the Battle of Hampton Roads was fought off Norfolk. The famous confrontation between the ironclads *Monitor* and *Merrimac* took place during this battle. The Confederate occupation of Norfolk ended in May 1862 with its capture by Union forces. Union troops occupied Norfolk from 1862 to the end of the Reconstruction period in Virginia in 1870.

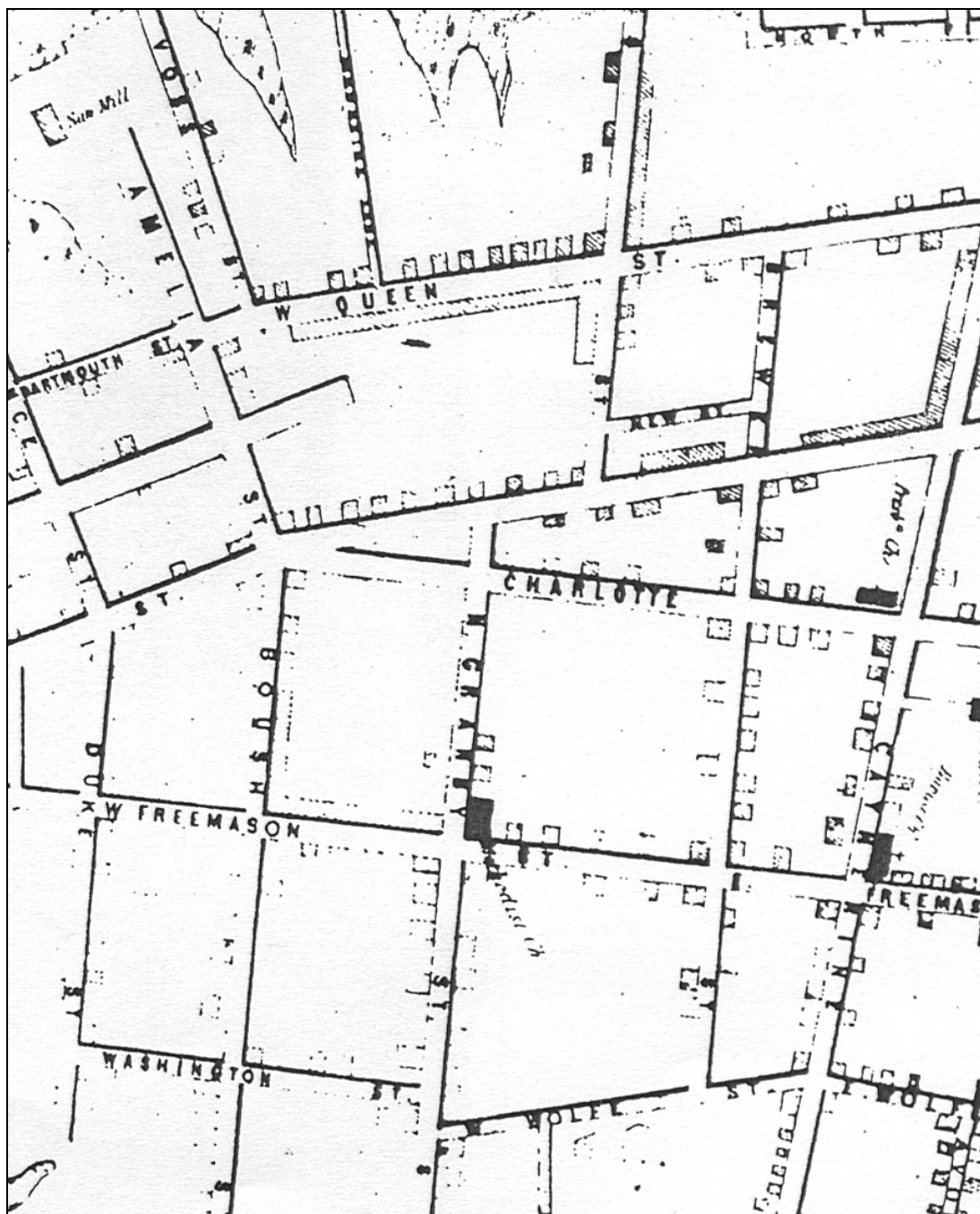
After the Civil War the growth of trade and shipping led to the further development of the port of Norfolk. Farming and shellfish harvesting became major export industries of Norfolk. In the late 19th century, the Norfolk and Western Railway also contributed to the city becoming a major point of shipment.

The favorable location of Norfolk led to its emergence as an important military center during the early twentieth century, with the development of the Norfolk Naval Base. In 1907, the Jamestown Exposition at Sewell's Point included a naval review that demonstrated the area's favorable location, laying the groundwork for the Norfolk Navy Base that was built beginning in 1917. The city limits were expanded in 1923 to include Sewell's Point, Willoughby Spit, and Ocean View, adding the Naval Base and miles of beach property fronting on Hampton Roads and the Chesapeake Bay (http://en.wikipedia.org/wiki/Norfolk,_Virginia).

The Norfolk Naval Base is the largest in the United States and is the headquarters of the Atlantic Fleet and Supreme Allied Command. During World War II, with heightened defense activities and a large population moving into the area to fill military and civilian-military jobs, the population of Norfolk doubled. The nearby Newport News Shipbuilding became Virginia's largest industrial employer. These changes are reflected in the population of Norfolk. At the beginning of the twentieth century, Norfolk was home to 46,000, while in the year 2000, the population had increased to over 234,000.

The project area is generally known as East Freemason. It was part of an original 200-acre grant to Captain Thomas Willoughby in 1636. By 1736, Samuel Boush held title to 98 of the original 200 acres. The Samuel Boush Plan subdivided the land into 160 lots by 1762. The Freemason area got its name from the Masonic Hall that once stood on the site of the Willoughby-Baylor House on Freemason Street. The Masonic Hall was destroyed on January 1, 1776 when Lord Dunmore attacked the city.

Maps from the mid-to-late 1800s show that land use in the East Freemason area remained primarily residential with exceptions being Norfolk Academy and various churches (Figure 3-10). Commercial establishments began to overtake the residential character of the neighborhood by the late-1800s (Figure 3-11). The area began to decline in the late 1950s. During the late-1960s, most of East Freemason and the area to the south was cleared as part of an urban renewal project.



Source: Rolin & Kiely 1851

Figure 3-10: Map of Project Area in 1851



Source: G. M. Hopkins, 1889

Figure 3-11: Map of Project Area in 1889

3.3.1 ARCHAEOLOGICAL RESOURCES

Research conducted at the Virginia Department of Historic Resources (VDHR) indicates that nine archeological sites have been recorded within 1.6 kilometers (1 mile) of the four proposed courthouse annex alternatives (Figure 3-12; Table 3-11). No archeological sites have been recorded within the boundaries of any of the proposed alternatives. With regard to archaeological resources, the physical Area of Potential Effect (APE) for each of the five build alternatives is defined as the area within which ground-disturbance is expected (Figure 3-13).

The previously recorded sites all date to the Historic period, more specifically from the eighteenth century through the twentieth century. Seven of the sites are domestic, one is indeterminate, and one is related to military use. Six of the domestic sites are dwellings that were occupied between the eighteenth and twentieth centuries. Excavations at these sites demonstrate that subsurface deposits and features (trash middens, privies, and wells) have not been impacted by the urban development that has taken place in Norfolk. No prehistoric archeological sites have been recorded near the project area.

Table 3-11: Archaeological sites located within One Mile of the Project Area

Site Number	Site Type	Description	Temporal Affiliation
44NR2	Domestic	Single Dwelling	1750 to 19 th Century
44NR16	Domestic	Single Dwelling, Trash Pit, Well	19 th Century and 20 th Century
44NR18	Military	Other	1775 to 1825
44NR20	Domestic	Trash Scatter	18 th Century
44NR21	Indeterminate	Indeterminate	18 th Century and 19 th Century
44NR23	Domestic	Single Dwelling, Privy, Trash Pit	1775 to 19 th Century and 20 th Century
44NR24	Domestic	Single Dwelling, Privy, Trash Pit	1775 to 19 th Century and 20 th Century
44NR25	Domestic	Single Dwelling, Privy, Trash Pit	1775 to 19 th Century
44NR26	Domestic	Single Dwelling, Privy, Trash Pit	1775 to 19 th Century and 20 th Century

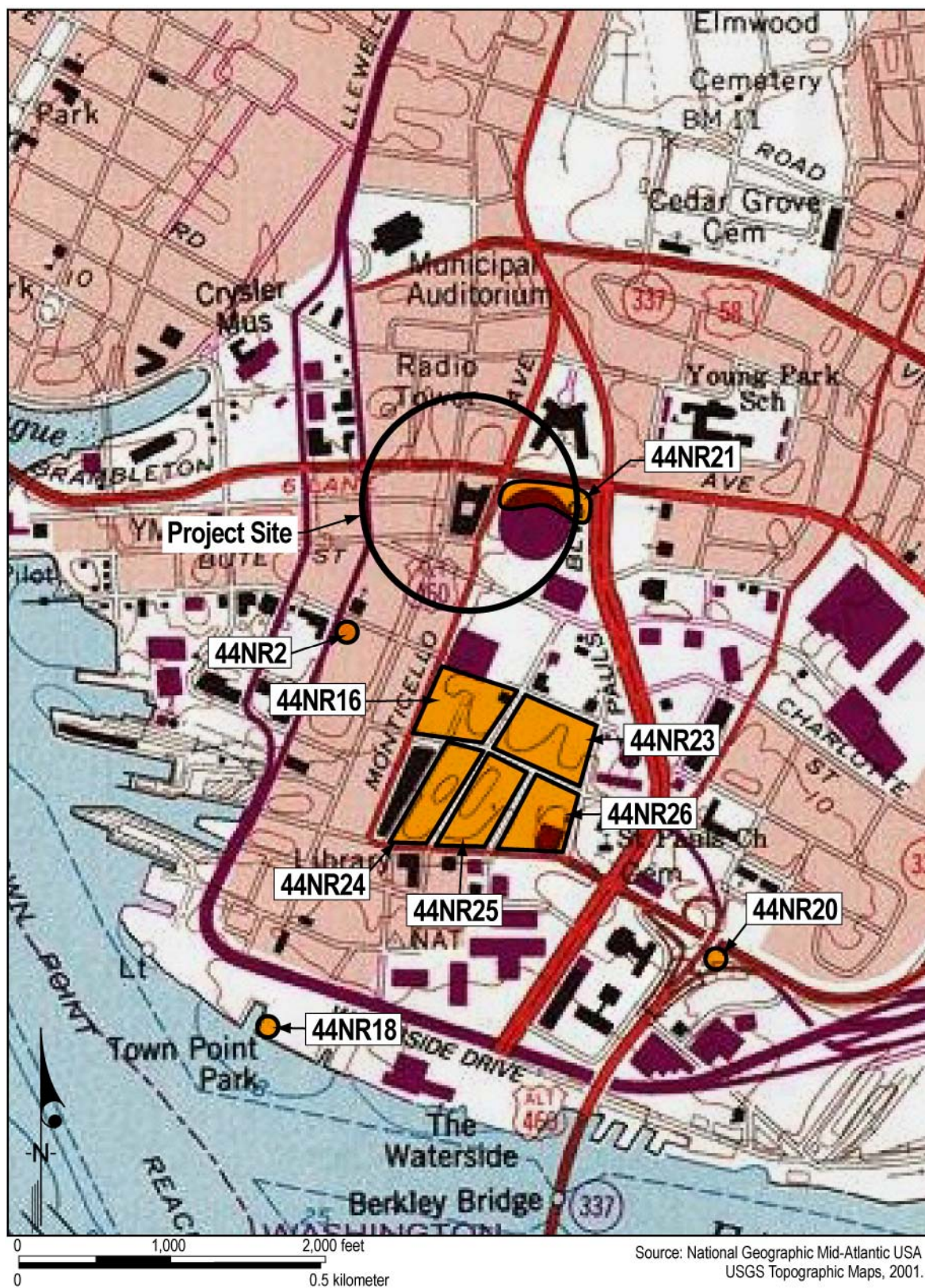


Figure 3-12: Archeological Sites within One Mile of Project Area

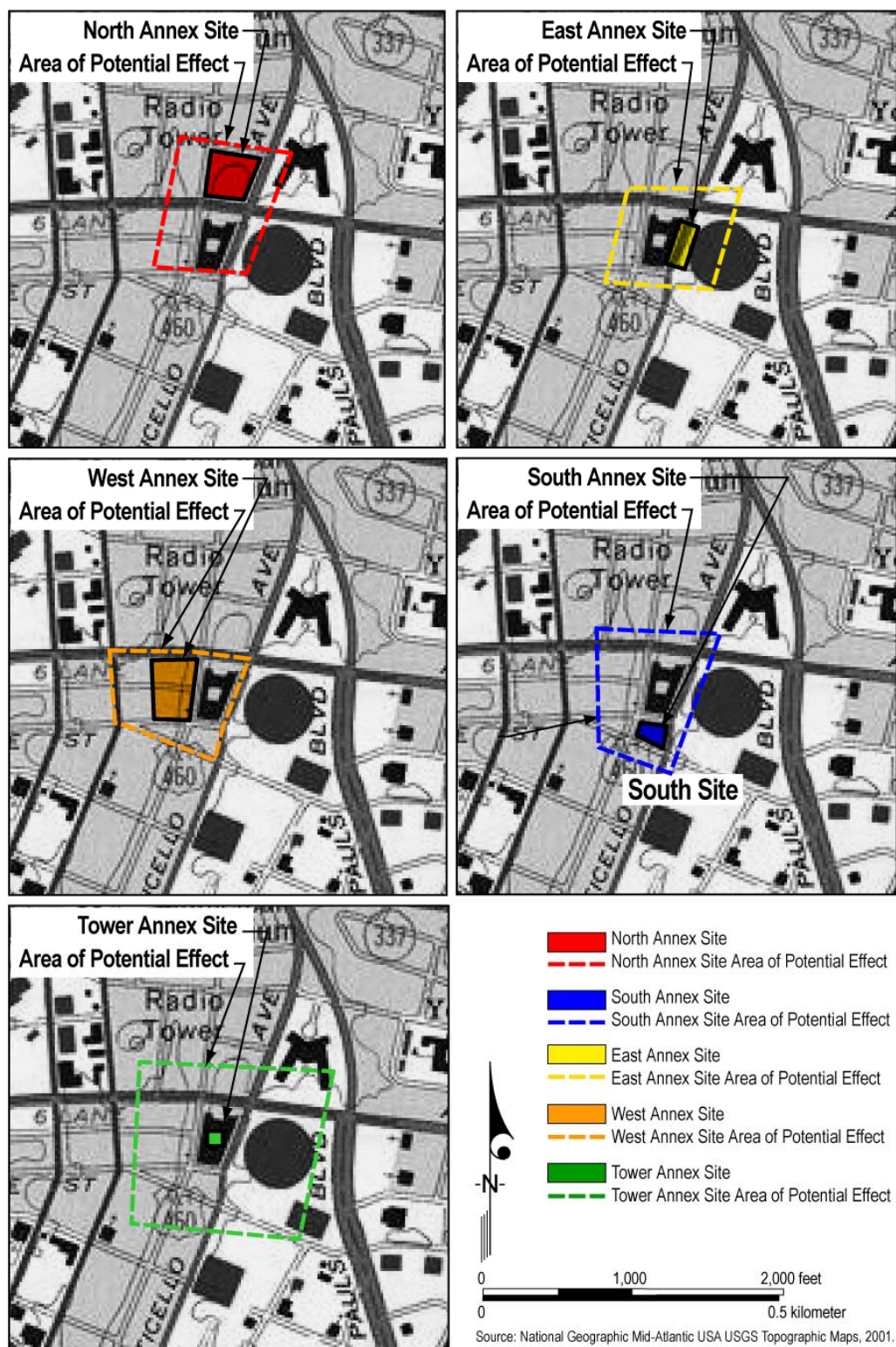


Figure 3-13: Area of Potential Effect

Southern Annex Alternative

No archaeological sites have been identified within the Southern Annex Site physical APE. Based on a review of site files at the VDHR, there are eight archaeological sites to the south, southeast, or southwest of the subject property and one archaeological site to the northeast. These sites are generally located within 0.3 and 0.6 miles of the subject property. However, a review of historic maps of the area indicates that a number of structures were historically present in the physical APE of this alternative (see also Berger 2001).

The earliest map consulted, dating to 1851, indicates that perhaps up to 10 structures were located within this proposed annex site. An 1898 Sanborn map depicts 11 dwellings and a store. By 1910, ten dwellings, four stores, two furnishing stores, and two oyster houses are present within the South Annex Site. A 1928 Sanborn map indicates only two dwellings, four stores, an automobile storage area, and a peanut roasting business as being present within the proposed APE. By 1950, a Sanborn map indicates two dwellings, a furnishing store, two stores, and a hat cleaning store within the Southern Annex Site. The 1970 Sanborn map show a warehouse, a parking lot, and a furnishing store within this alternative.

At the south end of the site, the early twentieth-century construction of the Showcase Furniture building has probably disturbed the greater portion of the lot. The open plaza space to the east of this building may contain intact cultural deposits. In addition, the parking lot at the northern end of the existing Courthouse may also contain buried cultural deposits. Information from background research and from previous archeological investigations in Norfolk and other urban areas suggests that portions of the Southern Annex Site has the potential to contain archeological deposits dating to the nineteenth century. Excavations in nearby areas have also demonstrated that intact deposits, dating to the 1700s, could also be present in this part of Norfolk.

Western Annex Alternative

No archaeological sites have been identified within the Western Annex Site physical APE. Based on a review of site files at the VDHR, there are eight archaeological sites to the south and southeast of the subject property and one archaeological site to the east. These sites are generally located within 0.3 and 0.6 miles of the subject property. However, a review of historic maps of the area indicates that a number of structures were historically present in the physical APE of this alternative (see also Berger 2001).

The earliest map consulted, dating to 1851, indicates that perhaps up to seven structures were located within this proposed annex site. An 1898 Sanborn map depicts approximately 17 dwellings, a store, and a shop within the proposed annex site. Several vacant lots and outbuildings also appear on this map. By 1910, the general configuration is much the same, although the vacant lots have been replaced by additional dwellings. The 1928 Sanborn map indicates that while the north half of the proposed annex site continued to be residential, the south half had been converted into automobile sales, repair, and tire sales facilities, as well as an unidentified store. By 1950, the character of the neighborhood appears to have changed. The north half of the proposed annex site consists of parking areas, restaurants, and stores. It is possible that some of the earlier dwellings were converted to use as stores and restaurants. The south half of the annex site continued to have the same series of commercial buildings as depicted on the 1928 map, although their function appears to have changed. The 1970 Sanborn

map appear to depict the same configuration of structures on both halves as was present on the 1950 map.

It is likely that twentieth-century construction of commercial buildings has disturbed portions of this proposed annex site. In contrast, parking areas may contain intact cultural deposits. Information from background research and from previous archeological investigations in Norfolk and other urban areas suggests that portions of the Western Annex Site have the potential to contain archeological deposits dating to the nineteenth century. Excavations in nearby areas have also demonstrated that intact deposits, dating to the 1700s, could also be present in this part of Norfolk.

Northern Annex Alternative

No archaeological sites have been identified within the Northern Annex Site physical APE. Based on a review of site files at the VDHR, there are nine archaeological sites to the south of the subject property. These sites are generally located within 0.3 and 0.6 miles of the subject property. However, a review of historic maps of the area indicates that a number of structures were historically present in the physical APE of this alternative.

The earliest map consulted, dating to 1851, indicates that perhaps two structures were located within this proposed annex site. An 1898 Sanborn map depicts minimally 20 domestic dwellings, numerous outbuildings, the H.B. Campbell Coal Yard, and at least 1 unnamed store. The 1910 Sanborn map shows essentially the same configuration of dwellings along James and Queen Streets; however, the coal yard is no longer depicted. In addition, dwellings are constructed along Granby Street, along with the Rambler Garage and Supply Company shop and the A.J. Markinson Supply Company shop. By 1920, Starke Street bisects the proposed annex site. Numerous dwellings remain along James (now Monticello) and Queen (now Brambleton) Streets; however, some of the structures appear to be converted to stores. Areas along Granby Street are infilled with additional dwellings and stores or shops, including what appears to be a horse sales and boarding facility. The 1950 Sanborn map illustrates that many of the dwellings had been razed during the last 22 years. Some dwellings had been replaced by a Greyhound Bus terminal, filling stations, and other larger, presumably manufacturing, facilities. Other lots appear to be vacant. By 1970, no domestic structures remain within the proposed annex site. Many of the vacant lots depicted on the 1950 map appear to have been converted to parking areas.

It is likely that twentieth-century construction of manufacturing buildings, gas stations, and the Greyhound Bus terminal has disturbed portions of this proposed annex site. In contrast, parking areas may contain intact cultural deposits. Information from background research and from previous archeological investigations in Norfolk and other urban areas suggests that portions of the Northern Annex Site have the potential to contain archeological deposits dating to the nineteenth century. Excavations in nearby areas have also demonstrated that intact deposits, dating to the 1700s, could also be present in this part of Norfolk.

Eastern Annex Alternative

No archaeological sites have been identified within the Eastern Annex Site physical APE. Based on a review of site files at the VDHR, one archeological site has been identified in the immediate vicinity of the Eastern Annex Site. Site 44NR21, which is located directly to the east of the site (approximately 30 feet) and is identified as an indeterminate historic site that dates to the eighteenth and nineteenth centuries. Eight other archaeological sites are present to the south, within 0.3 and 0.6 miles, of this alternative. In addition, a review of historic maps of the area indicates that a number of structures were historically present in the physical APE of this alternative.

The earliest map consulted, dating to 1851, indicates that at least one structure was present in the APE. By 1898, a Sanborn map depicts 11 dwellings potentially within the East Annex Site. Two stores were also within the site boundaries at this time. The 1910 Sanborn is similar to the 1898 map, although two dwellings appear to have been razed and replaced by a block of four dwellings. By 1928 James Street was renamed Monticello Avenue. While the structures appear similar to those depicted on the 1910 map, the functions of a few appear to have changed from dwellings to stores. In addition, at least two structures in the southeast corner of the project area appear to have been razed. By 1950, all of the structures were razed and most of the area appears to consist of vacant lots. On the 1970 Sanborn map, the City of Norfolk Cultural and Convention Center is the only structure shown in the general area of this annex site.

It is likely that twentieth-century construction of City of Norfolk Cultural and Convention Center has disturbed portions of this proposed annex site. But, according to Kimball David, a local historian and concerned citizen (email dated 11 January 2006), “the city surfaced its roadways in asphalt over earlier cobblestone and other roadways. Monticello Avenue was widened and there may be building foundations under the existing sidewalks and roadway. There is also the possibility of historic trolley tracks. These were not removed and occasionally pop up in street improvements.” This information and information from background research and from previous archeological investigations in Norfolk and other urban areas suggests that portions of the Eastern Annex Site have the potential to contain archeological deposits dating to the nineteenth century. Excavations in nearby areas have also demonstrated that intact deposits, dating to the 1700s, could also be present in this part of Norfolk.

Tower Annex Alternative

No archaeological sites have been identified within the Tower Annex Site physical APE. Based on a review of site files at the VDHR, one archeological site has been identified in the immediate vicinity of the Tower Annex Site. Site 44NR21 is located to the east of the site (approximately 50 feet) and is identified as an indeterminate historic site that dates to the eighteenth and nineteenth centuries. Eight other archaeological sites are present to the south, within 0.3 and 0.6 miles, of this alternative. In addition, a review of historic maps of the area indicates that a number of structures were historically present in the physical APE of this alternative.

The earliest map consulted, dating to 1851, indicates that at least one structure was adjacent to or within the APE. By 1898, a Sanborn map depicts more than 10 dwellings potentially within the Tower Annex Site. These dwellings fronted both Bute Street and what was to become Monticello Avenue. The 1910 Sanborn is similar to the 1898 map. By 1928, many of these

structures appear to have been razed and replaced by commercial shops. On the 1970 Sanborn map, other than the Walter E. Hoffman U.S. Courthouse building, the City of Norfolk Cultural and Convention Center is the only structure shown in the general area of this annex site.

3.3.2 ARCHITECTURAL RESOURCES

A review of previously recorded architectural resources in the SHPO's inventory indicates that all the historic architectural resources in the vicinity of the proposed courthouse annex project have been surveyed. In 1994, the City of Norfolk and VDHR jointly sponsored a survey of most of downtown Norfolk that produced a thematically organized report of the findings. In 1997, using the areas of additional research suggested in the 1994 report as a guideline, the City and VDHR sponsored a continuation of the 1994 survey. This resulted in a second, similarly organized report. Taken together, the two documents provide a comprehensive record of historic structures in downtown Norfolk and document all of the historic architectural resources in the project's APE.

The APE for architectural resources includes the area within which historic properties have the potential to be affected by a proposed undertaking. Effects may be physical, due to alteration or demolition, but may also be audible or visual. Audible or visual effects result when a project has the potential to alter the character of a historic property's setting by introducing either noise or new visual elements that are not in keeping with the historic property's historic setting. Generally, if an area may be easily seen from the site of an undertaking to the point where changes in the feeling or character of the area will be noticeable from the historic property, that area is within the APE. The APE for the proposed action is depicted in Figure 3-14.

The U.S. Post Office and Courthouse, also known as the Walter E. Hoffman U.S. Courthouse, is individually listed in the National Register. In May 2001, the Downtown Norfolk Historic District was expanded to include those buildings south of Brambleton Avenue, west of Monticello Avenue, and east of Boush Street that had been excluded from the original nomination. The nomination form for this expansion, as submitted in 2000, describes all but one of the historic resources located within the APE for each of the four alternatives. This resource, the Virginian-Pilot Building (VDHR No. 122-0849), is located north of the district boundaries and has been individually surveyed and recommended as eligible for the National Register. Three of the alternative sites fall entirely within the boundaries of the historic district and all structures within each of these alternate sites are listed as contributing resources to this district. The district is significant in the areas of government and commerce with a period of significance dating from 1872 to 1949. Structures within this district are comprised of several architectural styles executed in a variety of building materials.

Zoning on the South, West, and East Annex Sites is designated as the Freemason/Granby Conservation and Mixed Use District D-3. This zoning encourages adaptive re-use of existing buildings and the creation of new infill structures that are in scale with the existing development in their immediate area. Development is expected to help create a "village" scale which is conducive to pedestrian circulation and relatively compact developments. In addition to the D-3 zoning, the South, West, and East Annex Sites are all within a special zoning area called an overlay district. This district is known as the Downtown Historic Overlay District (HO-D). The Downtown Historic Overlay District includes the Downtown National Register Historic District

and several structures individually listed on the National Register of Historic Places. Special regulations govern the overlay district. Prior to construction, applicants must obtain a certificate of appropriateness from the design review committee within the planning commission (<http://www.norfolk.gov/>). The north site is in the Downtown Cultural and Convention Center District D-4. This zoning permits offices, retail and residential development. However, the emphasis will be to promote uses that relate to the arts, visitors and entertainment. There are no historic restrictions in the D-4 zoning.

Southern Annex Alternative

The Southern Annex Site is located within the boundaries of the Downtown Norfolk Historic District. The building on the site is a contributing resource to the District. The areas located immediately south and west of the Southern Annex Site are also included in the District boundaries and contain buildings that are contributing resources to the District. There are no historic buildings located on the block east of the Southern Annex Site. The National Register listed Walter E. Hoffman U.S. Courthouse lies directly north of the Southern Annex Site.

Western Annex Alternative

The Western Annex Site is also located within the Downtown Norfolk Historic District. The site incorporates properties on both the north and south sides of York Street between Granby and Boush Streets. There are five buildings directly adjacent to the Western Annex Alternative that are contributing resources to the Downtown Norfolk Historic District: 109 York Street, 111-115 Brambleton Avenue, 119 York Street, 118-128 York Street, and 118 Bute Street. The site itself is open parking. All structures on the blocks to the east and west of the site are listed as contributing elements of the District. On the block to the south, only one building, a one-story, 1907 brick and cinderblock structure, is *not* considered a contributing resource to the District. None of the structures to the north of the Western Annex Site are part of the District, but one, the Virginia-Pilot Building, is recommended as eligible for the National Register.

Northern Annex Alternative

There are no listed or eligible historic buildings or districts located on the Northern Annex Site. The site is largely open parking areas but does include three small late-twentieth century buildings and the Greyhound Bus Terminal building, constructed in the 1960s. There are no National Register listed structures adjacent to this alternative except for the Walter E. Hoffman U.S. Courthouse that lies directly south of the Northern Annex Site.

Eastern Annex Alternative

There are no listed or eligible historic buildings or districts located on the Eastern Annex Site. The site consists of the current right-of-way of Monticello Avenue and small portions of the Walter E. Hoffman U.S. Courthouse property and the Norfolk Scope Arena. The Walter E. Hoffman U.S. Courthouse building is individually listed on the National Register of Historic Places under Criterion C, for its architectural design. There are no other historic structures adjacent to the Eastern Annex Site. A portion of the site is located within the Downtown Historic Overlay District.

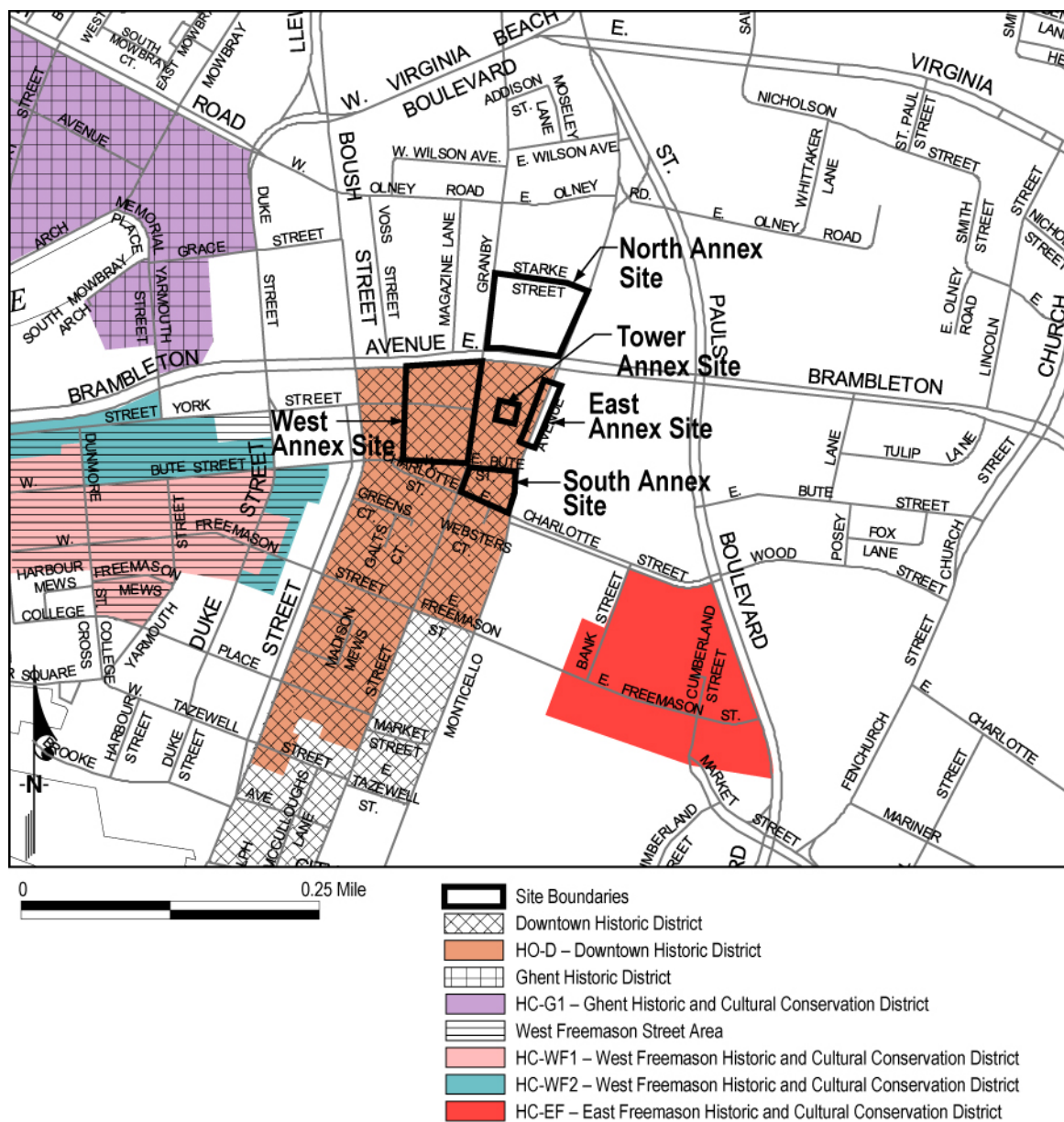


Figure 3-14: Downtown Historic Districts

Tower Annex Alternative

The Tower Annex Site consists of the existing Walter E. Hoffman U.S. Courthouse. As stated above, the courthouse building is individually listed on the National Register of Historic Places under Criterion C, for its architectural design. The Courthouse building is located within the Downtown Historic Overlay District.

The areas located immediately south and west of the site are also included in the Historic District boundaries and contain buildings that are contributing resources to the district. There are no historic buildings located on the block east of the site.

3.4 INFRASTRUCTURE AND WASTE MANAGEMENT

The following sections describe the infrastructure, including utilities, transportation, and waste management, at the site.

3.4.1 UTILITIES

Water Supply and Distribution

The City of Norfolk provides potable water to residents and businesses in Norfolk. The system's primary source is from surface supplies, specifically Western Branch, Lake Prince, and Lake Wright Reservoirs. Water treatment consists of flocculation, sedimentation of flocculated solids and filtration. Chlorine is added as a disinfectant. The City's water system is currently permitted for a maximum flow of 107 million gallons per day (mgd) and current usage averages approximately 60 mgd. Water is delivered to users through underground transmission lines at a pressure of approximately 65 to 70 pounds per square-inch (psi).

An existing 12-inch water line is located within the Granby Street right-of-way, adjacent to the existing courthouse and the proposed Southern, Eastern and Western Annexes. This main is capable of providing flows for the fire, domestic and irrigation demands of the proposed action.

Wastewater Treatment

The City of Norfolk provides wastewater collection and treatment to residents and businesses in Norfolk. Sewer lines are located adjacent to the existing courthouse and a pumping station is located at the corner of Brambleton and Monticello Avenues. Many buildings in the area of the proposed action have been demolished in recent years. According to Department of Utilities officials, this situation has resulted in excess sewer capacity in the area. An existing eight-inch main is located within the Brambleton Avenue right-of-way, adjacent to the existing courthouse.

Sewage generated in the vicinity of the proposed action is treated by the Virginia Initiative Plant, one of nine treatment plants operated by the Hampton Roads Sanitation District. The treatment plant has a permitted capacity of 40 mgd and has an average daily flow of 28.4 mgd.

Electricity

Dominion Virginia Power provides electric power to Norfolk. Service to the existing courthouse is provided by a network of underground transmission lines. Transmission lines exist within the rights-of-way of Granby Street and Charlotte Street. There are no apparent limitations to electric power service in the area of the proposed action.

Natural Gas

Natural gas would be supplied to the proposed facility by Virginia Natural Gas, Inc. Virginia Natural Gas is based in Norfolk and provides natural gas service to over 264,000 residential, commercial and industrial customers in southeastern Virginia. In the vicinity of the proposed action, Virginia Natural Gas has recently upgraded its transmission lines. A two-inch high-pressure (60 psi) line extends along the south side of Brambleton Avenue adjacent to the existing courthouse, and a natural gas main exists within the Granby Street right-of-way.

3.4.2 TRANSPORTATION

This section describes the existing transportation facilities in the vicinity of the Walter E. Hoffman United States Courthouse, including the roadway network, traffic conditions, and the availability of public transportation and parking facilities.

Principal Roadways

The existing courthouse is located in the heart of the Norfolk. It is surrounded by Brambleton Avenue to the north, Bute Street to the south, Granby Street to the west, and Monticello Avenue to the east. Figure 3-15 presents a site location map.

The main roadways in the vicinity of the site are described as follows:

- Brambleton Avenue. This roadway stretches north up to Route 564 and south into North Carolina. Towards the north, it changes names and becomes Hampton Boulevard (Route 58/337) and to the south, it becomes Route 168. In the vicinity of the site this divided roadway runs in an east-west direction with a posted speed limit of 35 miles per hour (mph). All of its main intersections are signalized with auxiliary turn lanes.
- Monticello Avenue. This north-south roadway runs from Church Street to City Hall Avenue. This is a four-lane undivided roadway with a posted speed limit of 25 mph. Its intersections with St. Paul's Boulevard, Brambleton Avenue, and Charlotte Street are signalized with auxiliary turn lanes at all intersections.
- St. Paul's Boulevard. This north-south roadway starts at Monticello Avenue and stretches south to end at Waterside Drive. The posted speed limit along this roadway is 30 mph.
- Boush Street. This north-south roadway stretches between Virginia Beach Boulevard and Waterside Drive. In the vicinity of the site it is a four lane divided roadway from Brambleton Avenue south and a four lane undivided one way roadway to the north of the Brambleton Avenue.

- Granby Street. This two-lane roadway runs north past Virginia Beach Boulevard and tees into Main Street to the south. The posted speed limit along this roadway is 25 mph. Its intersection with Brambleton Avenue is signalized and all other study area intersections along this roadway are stop sign controlled.

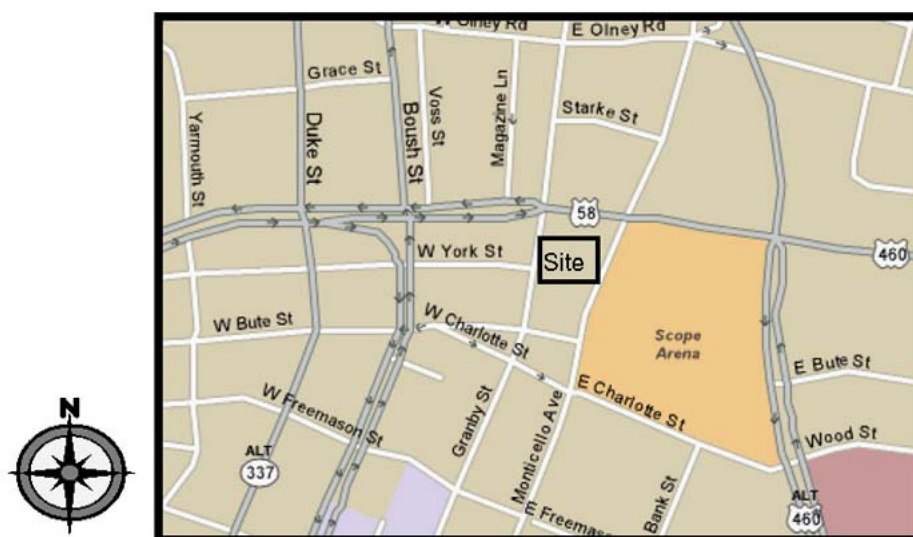
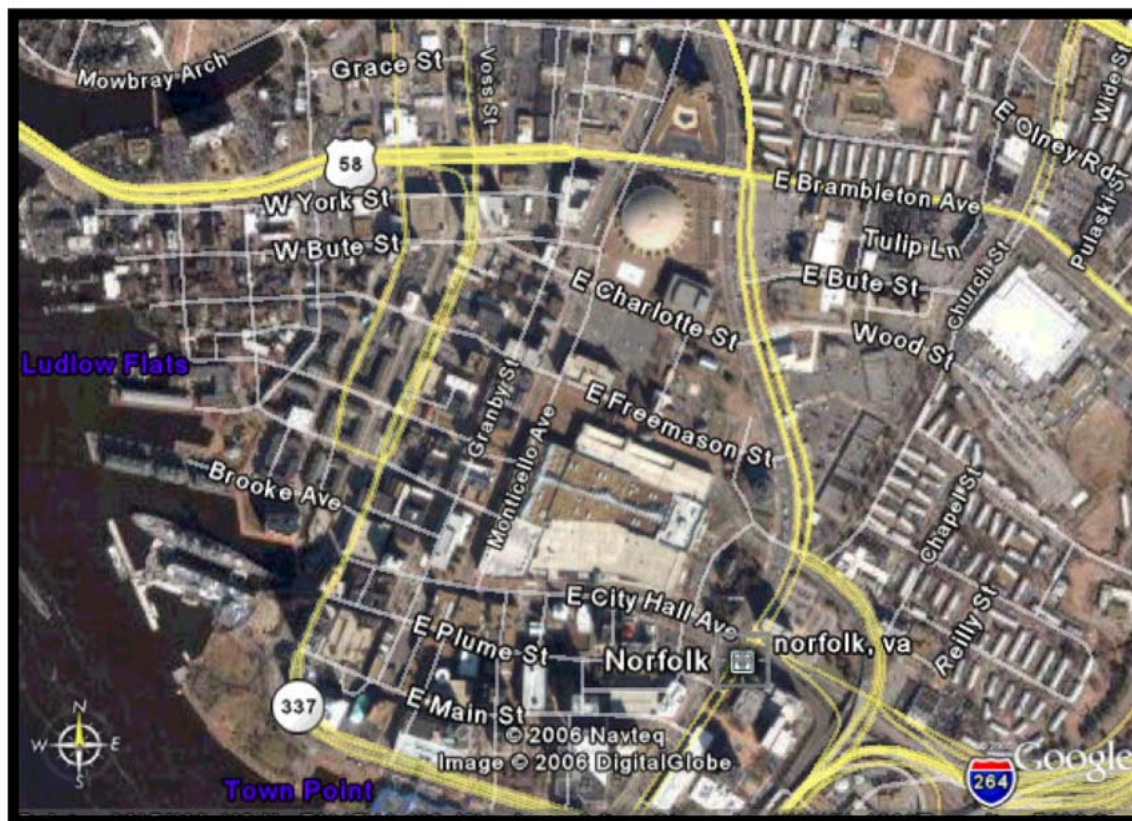


Figure 3-15: Site Location Map

- Starke Street. This east-west roadway stretches between Granby Street and Monticello Avenue. It is a two-lane roadway with parking along both sides and a posted speed limit of 25 mph.
- York Street. This two-lane east-west roadway stretches between Duke Street and Granby Street. This roadway does not intersect Boush Street. Currently its intersection with Granby Street is closed to traffic as there is construction along this roadway.
- Bute Street. This two-lane street stretches between Monticello Avenue and stretches past Duke Street. The section between Granby Street and Boush Street is a one-way westbound section.
- Charlotte Street. This east-west roadway stretches from Bute Street to the west to St. Paul's Boulevard to the east where it changes name and becomes Wood Lane. It is a one-lane one-way eastbound roadway between Bute Street and Monticello Avenue. To the east of Monticello Avenue it widens out to a four-lane roadway.

Traffic Operations Analysis

Peak Hour Turning Movement count data was collected at the following locations from November 2005 to January 2006:

- Brambleton Avenue and Monticello Avenue
- Brambleton Avenue and Granby Street
- Brambleton Avenue and Duke Street
- Brambleton Avenue and St. Paul's Boulevard
- Brambleton Avenue and Boush Street
- Charlotte Street and Monticello Avenue
- Charlotte Street and Granby Street
- Charlotte Street and St. Paul's Boulevard
- Bute Street and Granby Street
- York Street and Granby Street
- Bute Street and Monticello Avenue
- Boush Street and Bute Street
- Granby Street and Strake Street
- Monticello Avenue and Strake Street

Seven-day 24-hour counts were also performed at the following locations:

- Brambleton Avenue between Granby Street and Monticello Avenue
- Monticello Avenue between Charlotte Street and Brambleton Avenue
- Charlotte Street between Granby Street and Monticello Avenue
- Granby Street between Bute Street and York Street

The counts indicate that Monticello Avenue and Granby Street carry approximately 9,100 vehicles per day (VPD) and 7,650 VPD, respectively. Brambleton Avenue carries approximately 38,100 VPD and Charlotte Street, between Granby and Monticello Avenue, carries approximately 1,800 VPD. Traffic volumes at the E. Bute Street/St. Paul's Boulevard intersection are based on traffic volumes obtained from the Norfolk Traffic Engineering Department.

The existing AM and PM peak hour traffic volumes at these intersections are presented in Figure 3-16.

Using these volumes and existing lane geometries, intersection capacity analysis was performed for both the AM and PM peak hours. Analysis was performed using the Highway Capacity Manual methodology and the Synchro software which provides a Level of Service (LOS) output. LOS is described in the Highway Capacity Manual (HCM) as a “qualitative measure describing operational conditions within a traffic stream, and their perception by motorist and/or passengers”. The HCM defines six levels of service ranging from A to F, with A presenting the optimal operating conditions with minimal delays and F representing congestion. LOS is measured in seconds of delay per vehicle at an intersection. Most metropolitan areas consider LOS D to be acceptable. It should be noted that although the timings and offsets at the study area intersections were optimized, the phasing was not. The phasing and the minimum timings provided in a Synchro file by the City of Norfolk have been used in all the analyses.

Capacity analysis was carried out for both the AM and PM peak at the study area intersections. These LOSs are presented with the existing traffic volumes on Figure 3-16. Table 3-12 provides the LOS and Delay for each of the intersections.

Table 3-12: Existing Levels of Service

Intersection	AM LOS (Delay - seconds)	PM LOS (Delay - seconds)
Brambleton Ave. and Monticello Ave.	A (9.9)	B (14.6)
Brambleton Ave. and Granby St.	A (7.1)	B (12.2)
Brambleton Ave. and Duke St.	C (22.9)	C (29.2)
Brambleton Ave. and St. Paul’s Blvd.	D (44.1)	D (39.0)
Brambleton Ave. and Boush St.	B (12.8)	B (14.0)
Charlotte St. and Monticello Ave.	B (16.6)	B (13.1)
Charlotte St. and St. Paul’s Blvd.	A (6.8)	A (9.2)
E. Bute St. and St. Paul’s Blvd.	A (4.5)	A (2.6)
Boush St. and Bute St.	B (15.8)	B (10.8)
Charlotte St. and Granby St.	b (11.5)	c (16.0)
Bute St. and Granby St.	b (12.4)	b (13.5)
York St. and Granby St.	a (9.8)	a (10.0)
Bute St. and Monticello Ave.	b (11.6)	b (11.7)

Intersection	AM LOS (Delay - seconds)	PM LOS (Delay - seconds)
Granby St. and Strake St.	b (11.6)	b (10.3)
Monticello Ave. and Strake St.	a (9.2)	b (10.4)

X – signalized intersection LOS; x – unsignalized movement LOS

As can be seen in Table 3-12, all study area intersections are operating at LOS D or better during the AM and PM peak hours. All the movements at the unsignalized intersections are also operating at LOS C or better.

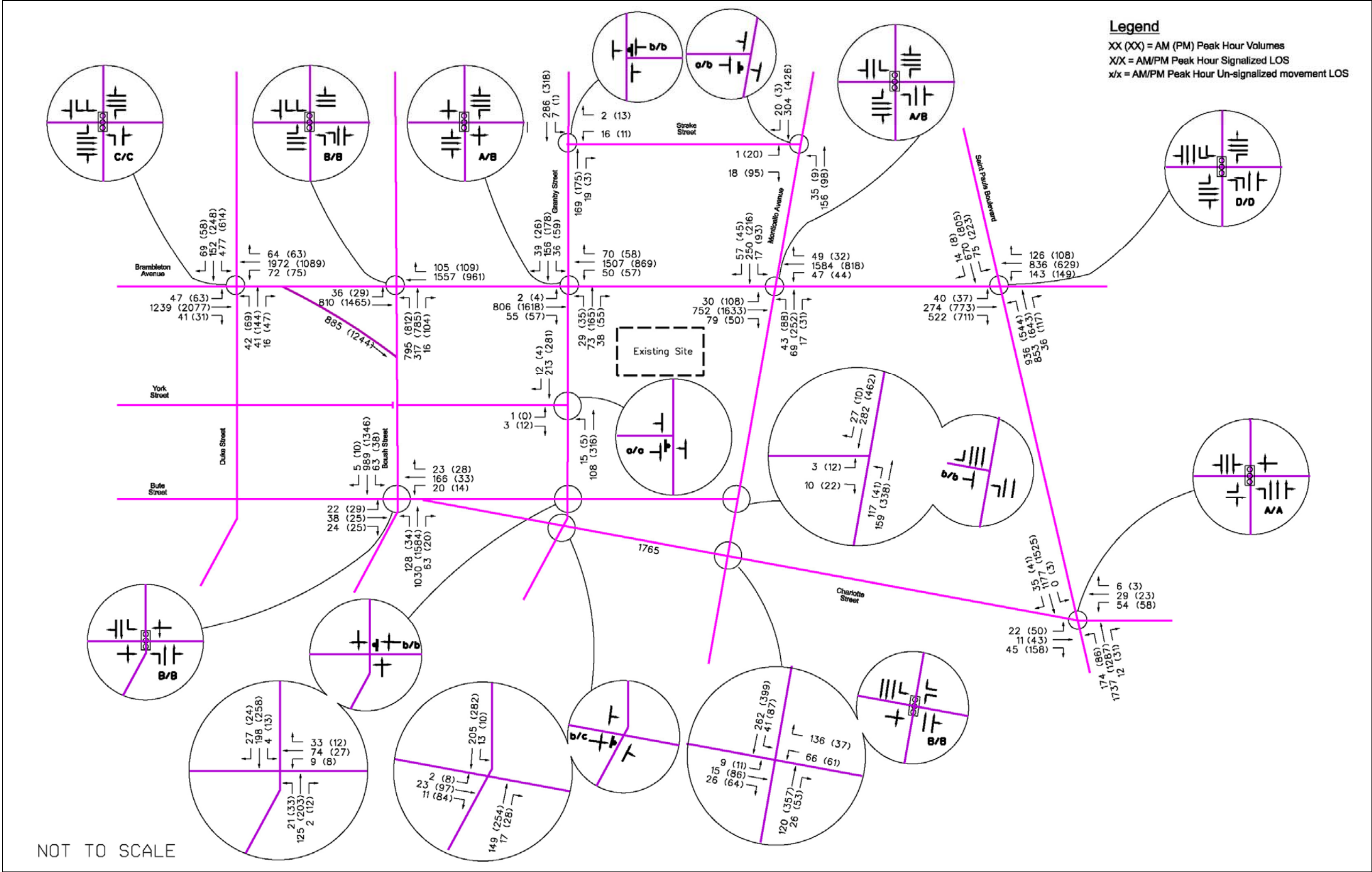


Figure 3-16: Existing Traffic Volumes, Lane Geometries, and LOS Analysis

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Transit Facilities

A number of bus routes along the adjacent roadways serve the Courthouse. These include routes by both the Hampton Roads Transit (HRT) and by the Norfolk Electric Transit (NET). The HRT has many routes near the Courthouse and is easily accessible by the public.

The NET is operated by the HRT and is free of charge for users. It circulates within downtown Norfolk along a 2.2-mile route along many of the main roads including Granby Street and Main Street. The NET runs from 6:30 AM to 11:00 PM during the weekdays. The route names and the frequency are presented in Table 3-13.

Table 3-13: HRT and NET Routes and Frequencies

Route Number	Route Name	Location of Stop	Peak Hour Frequency (approximate)
HRT			
1	Downtown Norfolk/Pembroke East	Monticello Ave/Charlotte St	45 minutes
2	Naval Station Norfolk/Hampton Boulevard	Monticello Ave/Charlotte St	30 minutes
3	Downtown Norfolk/Naval Station	Monticello Ave/Charlotte St	30 minutes
4	Norfolk General Hospital/ODU/Downtown Norfolk	Monticello Ave/Charlotte St	60 minutes
6	Downtown Norfolk/South Norfolk/Robert Hall Boulevard	Monticello Ave/Charlotte St	30 minutes
8	Downtown Norfolk/Little Creek Amphib. Base	Monticello Ave/Charlotte St	30 minutes
9	Downtown Norfolk/Chesterfield	Monticello Ave/Charlotte St	30 minutes
11	Downtown Norfolk/Colonial Place	Monticello Ave/Charlotte St	30 minutes
13	Downtown Norfolk/Robert Hall Boulevard/TCC - Chesapeake	Monticello Ave/Charlotte St	30 minutes
18	Downtown Norfolk/Ballentine Boulevard	Monticello Ave/Charlotte St	60 minutes
20	Downtown Norfolk/Virginia Beach Oceanfront	Monticello Ave/Charlotte St	40 minutes

Route Number	Route Name	Location of Stop	Peak Hour Frequency (approximate)
HRT			
24	Downtown Norfolk/Fort Story	Monticello Ave/Charlotte St	Limited service
45	Downtown Norfolk/Portsmouth	Monticello Ave/Charlotte St	30 minutes
61	Crossroads Route/Peninsula/Southside	Monticello Ave/Charlotte St	Limited Service
NET			
NET	Circular Route - 2.2 mile	Granby Street/Charlotte Street	6-18 minutes

Source: Norfolk Website

Parking Facilities Analysis

A significant amount of public parking exists in the area surrounding the courthouse. A detailed parking study was conducted along the study area streets and the garages in the vicinity of the site. The results determine the availability of parking spaces in these garages and well as the usage during the AM and PM peak hours. The survey was conducted in 20-minute increments from 7 AM to 11 AM and from 2 PM to 5 PM.

Furthermore, an inventory of on-street parking was also conducted to determine the parking restrictions. Metered parking is allowed on many of the side streets; however, most of it is restricted to either 1 or 2 hours. Figure 3-17 presents the on-street parking locations in the vicinity of the study area.

The results of the usage of the parking garages are presented in the Table 3-14 below. The overall results of the on-street parking and the garages/lots are presented in Table 3-15 and 3-16 for the AM and PM peaks, respectively.

The results indicate that there is significant availability of public parking in the area surrounding the courthouse. There are five parking garages within a two block radius of the courthouse. Overall, these 5 garages provide 2,632 parking spaces. In these garages, the average occupancy rate for any one-hour period between 7 AM to 11 AM is 78 percent or less. During the hours of 2 PM and 5 PM, the average occupancy for any one-hour period is 64 percent or less. Thus, overall, there is a significant availability of parking in the garages surrounding the Federal Courthouse.

The on-street parking in the study area is generally 2-hour metered parking. Generally, the availability of the parking fluctuates throughout the day. During the hours of 7 AM to 11 PM, Freemason Street, Bute Street, York Street and Boush Street have 75 percent or higher occupancy. During the hours of 2 PM and 5 PM, a majority of the study streets reach occupancy of 75 percent or higher.

However, generally, significant public parking is available within a 2 to 3 block distance from the Courthouse.

Table 3-14: Parking Survey Results – Garages/Lots

Parking Structure	Number of Parking Spaces	Percent Occupied				
Between 7 AM and 11 AM		7 to 8	8 to 9	9 to 10	10 to 11	Average
York St. Garage	593	20%	42%	53%	66%	53%
Scope Garage	578	6%	17%	19%	25%	18%
Freemason St. Garage	793	25%	52%	72%	78%	62%
Brambleton Lot	341	4%	4%	18%	18%	11%
Lot #26	327	21%	39%	47%	57%	44%
Between 2 PM and 5 PM		2 to 3	3 to 4	4 to 5		Average
York St. Garage	593	64%	54%	37%		56%
Scope Garage	578	18%	16%	12%		16%
Freemason St. Garage	793	50%	47%	44%		48%
Brambleton Lot	341	14%	13%	4%		12%
Lot #26	327	49%	47%	37%		47%

Table 3-15: AM Parking Survey Results

Parking	Number of Parking Spaces	Percent Occupied				
Between 7 AM and 11 AM		7 to 8	8 to 9	9 to 10	10 to 11	Average
On-Street Parking	186	17%	27%	43%	52%	39%
Garage/Lot Parking	2016	13%	31%	41%	47%	36%

Table 3-16: PM Parking Survey Results

Parking	Number of Parking Spaces	Percent Occupied			
		2 to 3	3 to 4	4 to 5	Average
Between 2 PM and 5 PM					
On-Street Parking	186	47	46	40	45
Garage/Lot Parking	2016	36	40	26	38

Pedestrian Facilities Analysis

Sidewalks are present along both sides of all the study area roadways. Crosswalks are also present at all the intersections along Brambleton Avenue, St. Paul's Boulevard, and Monticello Avenue. There is a mid-block crosswalk along Monticello Avenue near the intersection with Bute Street.

Overall, all the major roadways have sidewalks on both sides. The sidewalk along the south side of Brambleton Avenue is very narrow such that only one person can walk along it at a time.

3.4.3 WASTE MANAGEMENT

Solid waste in Norfolk is collected by the Department of Public Works and ultimately transported to the Regional Landfill, located in Suffolk, for disposal. Solid waste is collected and initially transported to the Norfolk Transfer Station at 3136 Woodland Avenue. Waste is then transported to the Suffolk Regional Landfill. The 833-acre site with 151 acres of permitted landfill accepts approximately 2,000 tons of waste daily.

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4 ENVIRONMENTAL CONSEQUENCES AND MITIGATION

This chapter contains a discussion of the environmental consequences, or impacts, associated with the No-Action Alternative and with site selection and construction of the proposed Courthouse Annex to the Walter E. Hoffman United States Courthouse.

Where applicable, NEPA regulations direct Federal agencies to discuss any direct or indirect adverse environmental effects that cannot be avoided should the proposal be implemented and the means to mitigate such adverse impacts if they occur. NEPA regulations also instruct Federal agencies to consider both beneficial and adverse impacts of the proposed action in terms of public health, unique features of the geographic area, the effect of the action, whether the action is highly controversial, and the degree to which the impacts are uncertain.

Potential impacts associated with the proposed action and related mitigation actions are discussed under the same headings and in the same order as the preceding description of the potentially affected environment in terms of site characteristics and community and regional characteristics.

4.1 NATURAL AND PHYSICAL ENVIRONMENT

4.1.1 TOPOGRAPHY

4.1.1.1 No-Action Alternative

Under the No-Action Alternative, there would be no construction activity at any of the sites. Consequently, there would be no direct, indirect or cumulative impacts with regard to topography.

4.1.1.2 Build Alternatives

Construction activities at each site would involve varying degrees of clearing and excavation that would reconfigure the present topography to accommodate the building footprint. Because of the site's minimal vertical relief, only insignificant topographical changes are anticipated. The extent of site excavation generally depends on site conditions, the specific footprint of the building, and the location of vehicle and pedestrian entrances and utility connections. No significant adverse impacts due to topographic changes are anticipated during the construction or operating phase of the proposed project. Negligible direct impacts are anticipated and no indirect or cumulative impacts are anticipated.

4.1.1.3 Mitigation Measures

All areas to be excavated, re-graded, or otherwise subject to topographic changes would be either built upon or landscaped. Soil disturbances would be minimized and appropriate soil erosion and sediment control measures would be implemented to minimize the loss of soil during excavation. No other measures to mitigate potential topographic changes appear warranted.

4.1.2 GEOLOGY AND SEISMICITY

4.1.2.1 No-Action Alternative

Under the No-Action Alternative, there would be no construction activity at any of the sites. Consequently, there would be no direct, indirect, or cumulative impacts to geology or seismicity.

4.1.2.2 Build Alternatives

Construction activity would require excavation, but it is not expected to have an adverse effect on area geological features. There are no known voids, fissures, mineral resources, or unusual geological conditions beneath the areas of the sites that would be affected by or impede construction of the proposed project. Norfolk is also considered to be an area of low seismic risk. Subsequent detailed development plans would definitively determine the need for special footings and/or other foundation requirements. Geotechnical testing would be undertaken as necessary during the initial stages of the planning and design process to establish subsurface conditions and foundation requirements. No direct, indirect, or cumulative impacts are anticipated.

4.1.2.3 Mitigation Measures

No adverse geological or seismic impacts are anticipated at the site. Additional geological investigations would be undertaken to specify engineering design and construction requirements. No other mitigation measures appear warranted.

4.1.3 SOILS

4.1.3.1 No-Action Alternative

Under the No-Action Alternative, there would be no construction activity at any of the sites. Consequently, there would be no direct, indirect, or cumulative impacts to soil conditions.

4.1.3.2 Build Alternatives

Impacts to existing soil conditions would occur during the construction phase due to clearing, excavation, and other site preparation activities. However, soils beneath the sites have been substantially altered by previous development activity. Given the nature and degree of the soil materials existing on-site, and the fact that the sites have been altered by previous development, no significant adverse impacts upon soil conditions are expected as a result of the proposed action. In addition, no cumulative impacts are anticipated.

The proposed action has been considered pursuant to the Federal Farmland Protection Policy Act (FPPA) and it has been determined that the FPPA does not apply.

4.1.3.3 Mitigation Measures

During construction, attention would be given to erosion potential and engineering characteristics of soils in and around the site. Appropriate soil erosion and sedimentation control measures would be employed to mitigate potential erosion. No other mitigation measures appear warranted.

4.1.4 WATER RESOURCES

4.1.4.1 No-Action Alternative

Under the No-Action Alternative, there would be no construction activity at any of the sites. Consequently, there would be no changes to the area's stormwater runoff volume, water quality, or off-site surface water bodies. No direct, indirect, or cumulative impacts would occur.

4.1.4.2 Build Alternatives

All sites are almost entirely paved and/or built upon or unimproved and under construction. Therefore, the proposed action would result in a continuation of present conditions with respect to stormwater management. The proposed action would not result in a significant change (increase or decrease) in stormwater runoff volume, water quality, or impacts to off-site surface water bodies. The existing system of catch basins, collection pipes and drainageways would continue to collect and discharge stormwater runoff away from developed areas. No direct, indirect or cumulative impacts to the system of stormwater collection in Norfolk are anticipated as a result of the proposed action.

The proposed action would not entail the use of groundwater wells and, therefore, subsurface hydrology would not be impacted. No direct, indirect, cumulative impacts to groundwater are anticipated. In addition, no wetlands are present on the site; no direct, indirect, or cumulative impacts are anticipated either on- or off-site as a result of the proposed action.

4.1.4.3 Mitigation Measures

There are no areas to be modified from a water resources standpoint as a result of the proposed action. Other than ensuring proper maintenance of the existing stormwater management system, mitigative measures for the proposed action are not necessary.

4.1.5 FLOODPLAINS

4.1.5.1 No-Action Alternative

Under the No-Action Alternative, there would be no construction activity at any of the sites. In the event of a 100-year or 500-year flood, access from major and secondary arterials to all of the sites would be disrupted. Flash flooding may also temporarily impede access via commuter routes to all sites and the City in general. Therefore, although no construction by GSA will occur on the sites, there may be a minor, indirect, adverse impact to the City from floods. No cumulative impacts to flood levels or flood-related damage are anticipated.

4.1.5.2 The Southern, Western, Eastern, and Tower Annex Alternatives

Flooding conditions would not be affected by the proposed action. The Southern, Western, Eastern, and Tower Annex sites are located outside the limits of both the 500- and 100-year flood hazard areas. No direct impacts are anticipated. In the event of a 100-year or 500-year flood, access to all of the sites would be disrupted. Flash flooding may also temporarily impede access via commuter routes to all sites and the City in general. Therefore, there may be a minor, indirect, adverse impact on court operations from floods. No cumulative impacts to flood levels or flood-related damage are anticipated.

4.1.5.3 The Northern Annex Alternative

Under the Northern Annex Alternative, the proposed Courthouse Annex would be developed to meet the U.S. Court's infrastructure requirements. As mentioned in **Section 3.1.5, Floodplains**, approximately 75 percent of the Northern Annex Alternative is located within Flood Zone B (an area within the 500- year floodplain or an area subject to a 0.2 percent chance of flooding in a given year). A small portion of the site is within Flood Zone A4, or the 100- year floodplain. Zone A is a Special Flood Hazard Area inundated by the 100-year flood, determined by detailed methods, with base flood elevations shown. According to GSA's Floodplain Management Desk Guide, critical actions (such as the proposed Courthouse Annex) cannot be located in either the 100- or 500-year floodplain unless there is no practicable alternative. The Southern, Western, Eastern, and Tower Annex Sites are practicable alternatives. Construction on the Northern Annex Alternative would have a minor, adverse, long-term, direct impact on the floodplain.

Construction on the Northern Annex site could indirectly impact floodplains by increasing impervious surface, which may increase stormwater runoff volume to the area's system of catch basins, collection pipes, and drainageways. The increase in stormwater runoff could raise a stream's water level, which in-turn can result in an increase in the area of the stream's floodplain. The Northern Annex Alternative could have a minor, adverse, long-term, indirect impact on floodplains. In addition, in the event of a 100-year or 500-year flood, access to the Northern Annex Site from the South and West would be disrupted. Flash flooding may also temporarily impede access via commuter routes to all sites and the City in general. A minor, indirect, adverse impact on court operations from floods may occur.

Past development in the area has increased impervious surfaces. Future development planned in the area could also result in increases in impervious surfaces. Such increases in impervious surfaces could result in a negative cumulative effect on stormwater runoff volumes and thus on floodplains. The proposed Courthouse Annex could add to these cumulative impacts. Therefore, minor, adverse, long-term, cumulative impacts to floodplains could occur.

4.1.5.4 Mitigation Measures

According to GSA's Floodplain Management Desk Guide, critical actions (such as the proposed Courthouse Annex) cannot be located in either the 100- or 500-year floodplain unless there is no practicable alternative. Several practicable alternatives exist for this action.

If the Northern Annex Alternative is selected, the following mitigation measures could be implemented to reduce impacts to the floodplain:

- Sediment and erosion control plans would be required as part of the permit process.
- Stormwater quantity control may be required in compliance with state and county requirements.
- Best management practices (BMPs) during construction, including the use of silt fences, and other soil retention measures, would minimize the erosion of soils by precipitation and wind, and transport of sediments to surface waters.
- Bioretention facilities in parking lots and landscaped areas could be utilized to provide sustainable alternatives to traditional stormwater management techniques.
- If constructed on the Northern Annex Site, the building could be elevated above the base flood elevation.

No mitigation measures are recommended for the Southern, Western, Eastern, and Tower Annex sites.

4.1.6 VEGETATION AND WILDLIFE

4.1.6.1 No-Action Alternative

Under the No-Build Alternative, there would be no construction activity at any of the sites. Consequently, there would be no impact to biological resources.

4.1.6.2 Build Alternatives

Implementation of the proposed action would not involve alteration to biological resources. No forests, wetlands, or other important biological resources would be directly affected. As a result, impacts to wildlife which may inhabit or utilize areas within or around the City of Norfolk are not expected to occur. No direct, indirect, or cumulative impacts are anticipated.

4.1.6.3 Mitigation Measures

Because no adverse impacts to vegetation and wildlife are expected to occur, no mitigation measures are warranted.

4.1.7 HAZARDOUS MATERIALS

The existing condition of the proposed site is discussed with respect to potential environmental contamination outlined in **Section 3.1.7** of this document. The expected impacts of the No-Action Alternative and the Build Alternatives for the proposed courthouse are discussed in this section.

4.1.7.1 No-Action Alternative

Under the No-Action Alternative, there would be no construction activity at any of the five sites. As a result, there would be no impact resulting from any hazardous materials that could potentially be on any site.

4.1.7.2 Southern Annex Alternative

The Phase I Environmental Site Assessment database research identified the Southern Annex Alternative as a leaking underground storage tank (LUST) site. The tank was closed in 2001 by removing its contents (1,000 gallons of heating oil and water) and filling it with a mix of sand and cement. The case has since been closed with no requirement for further action; however, soil and groundwater contamination remain at the site. Removal of contaminated soil would result in the reduction of on-site groundwater contamination. Because the site is served by the municipal water supply, there would no impact to human health through the water supply.

The Southern Annex Alternative was home to a printing facility and a peanut roasting facility. These manufacturing activities, along with the historical presence of an automotive repair shop, should be considered when addressing possible soil and groundwater contamination at the site. Historically, USTs existed just south of the Southern Annex Alternative on Charlotte Street. Due to the age of the tanks, it is unlikely they would be registered with the state. Therefore, the possibility exists that petroleum-contaminated soils and/or groundwater are located in this area.

Direct impacts to hazardous materials could occur if, during construction, contaminated soils are disturbed. If the mitigation measures listed below are not implemented, there is the potential for a minor, adverse, long-term, impact to occur to the environment and human health if hazardous materials/hazardous waste are not properly disposed.

Current and future development of the area surrounding the construction of the courthouse could create additional impacts to this area. This development could have a negligible, adverse, long-term, cumulative impact on hazardous materials.

4.1.7.3 Western Annex Alternative

The Phase I Environmental Site Assessment identified several manufacturing activities historically operating onsite. These businesses include: auto repair facilities, a vulcanizing facility, a printing shop, a leather company, an oil burner facility, a beverage bottling company, and an electroplating facility. The potential exists for soil and/or groundwater contamination at the Western Annex Alternative. Additionally, due to the age of on-site structures, it is possible PCB-, asbestos, and LBP materials are present.

Direct impacts to hazardous materials could occur if on-site buildings are demolished or if, during construction, contaminated soils are disturbed. If the mitigation measures listed below are not implemented, there is the potential for a minor, adverse, long-term, impact to occur to the environment and human health if hazardous materials/hazardous waste are not properly disposed.

Current and future development of the area surrounding the construction of the courthouse could create additional impacts to this area. This development could have a negligible, adverse, long-term, cumulative impact on hazardous materials.

4.1.7.4 Northern Annex Alternative

The Phase I Environmental Site Assessment identified a coal yard, at least two filling stations, a motorcycle repair facility, a tin shop, two battery stations, and a tar and pitch storage yard. The potential exists for soil and/or groundwater contamination resulting from these activities at the Northern Annex Alternative. Additionally, due to the age of on-site structures, it is possible PCB-, asbestos, and LBP materials are present.

Direct impacts to hazardous materials could occur if on-site buildings are demolished or if, during construction, contaminated soils are disturbed. If the mitigation measures listed below are not implemented, there is the potential for a minor, adverse, long-term, impact to occur to the environment and human health if hazardous materials/hazardous waste are not properly disposed.

Current and future development of the area surrounding the construction of the courthouse could create additional impacts to this area. This development could have a negligible, adverse, long-term, cumulative impact on hazardous materials.

4.1.7.5 Eastern Annex Alternative

Sanborn Maps utilized during the Phase I Environmental Site Assessments for the Northern, Western, and Southern Annex Sites identified two filling stations (historical) abutting the Eastern Annex Alternative to the east. The filling stations had several USTs that could have impacted the site.

Direct impacts to hazardous materials could occur if, during construction, contaminated soils are disturbed. If the mitigation measures listed below are not implemented, there is the potential for a minor, adverse, long-term, impact to occur to the environment and human health if hazardous materials/hazardous waste are not properly disposed.

Current and future development of the area surrounding the construction of the courthouse could create additional impacts to this area. This development could have a negligible, adverse, long-term, cumulative impact on hazardous materials.

4.1.7.6 Tower Annex Alternative

A Phase I Environmental Site Assessment was not completed for the Tower Annex Site. Therefore, the potential for direct, indirect, and cumulative impacts on the site due to hazardous materials is unknown. A Phase I Environmental Site Assessment is recommended as described in Section 4.1.7.7.

4.1.7.7 Mitigation Measures

If the proposed courthouse is constructed on the Northern or Western Annex sites, mitigation measures should be followed in order to prevent a possible release of contaminants, which could

impact human health and the natural environment off-site. Based on the limited Phase I Environmental Site Assessment performed for the Northern and Western Annex Sites, it is recommended that GSA:

- Perform a geophysical survey to determine the presence of USTs;
- Sample groundwater and soil in areas of previously identified USTs to determine the extent, if any, of contamination at the site; if USTs are located, they should be properly abandoned/removed in accordance with State and Federal regulations
- Contaminated soil should also be removed and disposed of by a licensed facility; if it is determined contaminated soils do not require removal, a health and safety plan should be developed to protect site workers from contaminated soils;
- Depending on groundwater and soil sampling findings, the results may need to be sent to Virginia DEQ for review and further instruction.

If the proposed courthouse is constructed on the Southern Annex Site, mitigation measures should be followed in order to prevent a possible release of contaminants, which could impact human health and the natural environment off-site. Based on the limited Phase I ESA performed for the Southern Annex Alternative, it is recommended that GSA:

- Perform a geophysical survey to locate the existing UST that was abandoned in place; the UST should be properly removed in accordance with State and Federal regulations.
- It may be necessary to perform a geophysical survey to determine if any other USTs are present at the site; if USTs are located, they should be properly abandoned/removed in accordance with State and Federal regulations.
- Contaminated soils should be removed and properly disposed of at an authorized facility.

If the proposed courthouse is constructed on the Eastern Annex Site, mitigation measures should be followed in order to prevent a possible release of contaminants, which could impact human health and the natural environment off-site. Based on State and Federal Regulatory database information, it is recommended that GSA:

- City officials should be contacted to obtain UST closure and removal information regarding two tanks located in the northeast corner of the site and three tanks on the southeast corner of the site.
- If no information is available from the city, a geophysical survey would be required to locate the existing UST that was abandoned in place; the UST should be properly abandoned/removed in accordance with State and Federal regulations
- it may be necessary to perform a geophysical survey to determine if any other USTs are present at the site; if USTs are located, they should be properly abandoned/removed in accordance with State and Federal regulations

A Phase I ESA or limited Phase I ESA was not performed for the Tower Annex Alternative. In order to determine if any recognized environmental conditions exist a visual inspection or formal Phase I Environmental Site Assessment should be conducted.

4.1.8 METEOROLOGICAL CONDITIONS

4.1.8.1 No-Action Alternative

Under the No-Action Alternative, the proposed action would not be undertaken. Consequently, there would be no impact to the area's climatic characteristics.

4.1.8.2 Build Alternatives

Draft guidelines provided by the Council on Environmental Quality (CEQ) suggest that the following two aspects of global climate change should be considered in the preparation of environmental documents:

- The potential for the federal actions to influence actions to influence global climatic change, e.g., increased emissions of chlorofluorocarbons (CFCs), halons, or greenhouse gases; and
- The potential for global climatic change to affect federal actions, e.g., feasibility of coastal projects in light of projected sea level changes.

Based upon the design and utilization of the proposed project as addressed by this environmental document, the proposed action is not expected to result in the significant emission of CFCs, halons, or greenhouse gases. The National Academy of Sciences estimates that a doubling of carbon dioxide concentration which could occur by the middle of this century, would lead to global warming of 1.5 to 4.5 degrees Celsius (3 to 8 degrees Fahrenheit). The proposed action is expected to be unaffected by a potential climatic change in this range. No direct impacts are anticipated.

Studies by the U.S. Environmental Protection Agency and others have estimated that along the Gulf and Atlantic coasts, a one foot rise in sea level is likely by 2050 and could occur as soon as 2025. Within the next century, a two foot rise is most likely, but a four foot rise is possible. The proposed action would occur on land situated approximately 10 feet above msl and would likely be unaffected by sea level rise in this range.

The proposed action has the potential to alter the wind and temperature components of the microclimatology at any of the sites. The impacts, however, would be local and insignificant. The proposed action would not change the larger-scale climatology of the area or have any significant impact on neighboring properties. No indirect or cumulative impacts are anticipated.

4.1.8.3 Mitigation Measures

Measures to mitigate local weather modification are not warranted. Any meteorological impacts resulting from the proposed action would be of a microclimatic nature. The meteorological circumstances of the sites are such that no extraordinary design features are necessary.

4.1.9 AIR QUALITY

4.1.9.1 No-Action Alternative

Under the No-Action Alternative, the proposed action would not be undertaken. Consequently, there would be no new impact to the region's air quality.

4.1.9.2 Build Alternatives

At present, the area in which the proposed action is located has been designated in compliance with the National Ambient Air Quality Standards for all pollutants, except the newly designated 8-hour standard for ozone. Currently, the newly created 8-hour average standard for ozone puts the City of Norfolk in a marginal non-attainment status for ozone, with a requirement to obtain attainment by 2007.

Air quality in the region would potentially be affected as a result of the proposed action due to the construction activities, boiler and backup generator operations, and traffic generated by the proposed facility. Federal actions, for construction of new office facilities such as the Proposed Courthouse Annex, must be in conformity with the provisions of the Clean Air Act.

In the case of ozone, the precursor emissions of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) are considered. Once these emissions have been evaluated, a determination can be made with respect to the applicability of the rules. If the total emissions are below de minimis levels, the rules are not applicable.

The following are potential emission sources from the proposed Courthouse Annex:

- construction activities;
- Boiler System;
- mobile sources, including employee commuting.

Construction Activities

Construction impacts are generally related to fugitive dust emissions in and around the project site due to site preparation and construction operations. The potential for impacts would be temporary, occurring only while construction is in progress and certain meteorological conditions occur. Fugitive dust emissions typically occur during ground clearing and preparation, grading, and stockpiling of materials, on-site movement of equipment, and transportation of construction materials. Fugitive dust emissions can occur during dry weather periods, periods of maximum construction activity, and high wind conditions. These impacts would be short-term and would be minimized if construction equipment is well-maintained, and good engineering practices are followed. Construction related activities are not expected to violate NAAQS or standards as established by the Commonwealth of Virginia.

Boiler System

A boiler system for hot water would be installed at the proposed facility and would be the primary stationary source of potential air quality impact. The final choice of fuel would be determined by fuel availability and other considerations. It is anticipated that the amount of combustion byproducts from the fuel selected would have a slight impact on air quality. The emissions are expected to be well below New Source Review significant impact levels for CO and NOx.

Mobile Sources

Motor vehicle operations represent the greatest potential for project-related impacts on air quality. Because the proposed action would relocate existing employees from nearby existing facilities, no significant adverse impacts relative to traffic related air quality are expected to occur.

Conclusions of General Conformity Review Applicability Analysis

This review has considered the precursors of ozone, VOCs, and oxides of nitrogen (NOx). The largest stationary source, the boiler system, would be subject to permit review requirements; consequently, systems would be re-examined comprehensively during the permitting stage of the project, when more precise design information is available. However, based on the size of the proposed facility, it is estimated that emissions would fall below the *de minimis* levels established under General Conformity. Consequently, the General Conformity procedures are not applicable to the proposed action.

Federal Operating Permit (Title V)

All new and existing facilities must determine if they are potential “major sources” of emissions as defined by the Federal Operating Permit Program, also known as Title V. The Title V permit program is for facilities whose potential and/or actual emissions of air contaminants exceed set annual thresholds. For Virginia, the limits are set at 100 tons per year (tpy) for all criteria pollutants and 25 tpy for all hazardous air pollutants (HAPs) or 10 tpy for each individual HAP. If the facility’s potential and actual emissions were to exceed the Title V thresholds then it would be required to file a Title V application with the state. Based on a review of emissions from similar facilities it is determined that the emissions from the proposed project would fall significantly below these limits. As such the facility is not a major Title V source and is not required to file a Title V permit. The facility is, however, required to file applications of construction and operation for all individual sources (e.g., boilers) as required by state and local regulations.

4.1.9.3 Mitigation Measures

Techniques to limit emissions include using properly maintained construction equipment, using tarp covers on trucks transporting materials to and from the construction site, wetting upaved surfaces, and prohibiting any open burning of construction waste products on site. In addition, all construction equipment would be calibrated to the manufacturer’s specifications to further minimize air emissions.

Stationary sources of emissions would require permits. This would be considered early in the design stage of the project and would be coordinated with the VDEQ.

4.1.10 NOISE

4.1.10.1 No-Action Alternative

Under the No-Action Alternative, the proposed action alternative would not be undertaken. Consequently, there would be no added noise to the area. No direct, indirect, or cumulative noise impacts would occur at the existing courthouse.

4.1.10.2 Build Alternatives

Construction

Temporary increases in noise levels within the immediate vicinity of the sites would occur during construction. The magnitude of the impact depends on the specific types of equipment used, the construction methods employed, and the scheduling of work. Construction noise lasts only for the duration of the construction contract and is usually limited to daylight hours. Noise resulting from construction is not anticipated to have an adverse effect on surrounding land use at the sites. It is generally intermittent and depends on the type of operation, location, and function of the equipment and the equipment usage cycle, and attenuates quickly with distance.

The proposed action, in combination with other past, present, and reasonably foreseeable future actions, will not have a significant cumulative impact on noise levels.

Facility Operation

During operation of the facility, on-site noise, from facility equipment is expected to be minimal. Negligible impacts are anticipated.

Traffic increases associated with the construction of the Courthouse Annex are expected to be minimal and would only increase noise levels slightly. Therefore, negligible, adverse, long-term, indirect impacts would occur under this alternative.

The proposed action, in combination with other past, present, and reasonably foreseeable future actions, will not have a significant cumulative impact on noise levels.

4.1.10.3 Mitigation Measures

Noise impacts during the construction phase would be mitigated by confining construction activities to normal working hours and employing noise-controlled construction equipment to the extent possible. Measures to mitigate these impacts would be incorporated into contract documents and may include the following provisions:

Source Control

- All construction equipment would be equipped with appropriate noise attenuation devices, such as mufflers and engine housings.
- All exhaust systems would be maintained in good working order. Properly designed engine enclosures and intake silencers would be employed.
- Regular equipment maintenance would be undertaken.

Site Control

- Stationary equipment would be placed as far away from sensitive receptors as possible (e.g. aggregate crushers, operators).
- Disposal sites and haul routes would be selected to minimize objectionable noise impacts
- Shielding mechanisms would be employed where possible.

Time and Activity Constraints

- Operations would be scheduled to coincide with periods when people would least likely be affected.

Community Awareness

- Public notification of construction operations would incorporate noise considerations.
- Methods to handle complaints would be specified.

4.2 SOCIAL ENVIRONMENT

4.2.1 DEMOGRAPHICS

4.2.1.1 No-Action Alternative

Under the No-Action Alternative, the proposed action would not be undertaken. Consequently, there would be no impact to the city's demographic characteristics.

4.2.1.2 Build Alternatives

The proposed action would result in the expansion of the existing Walter E. Hoffman U.S. Courthouse and an increase in employees at that location. As a result of the proposed action an additional 75 employees are expected to be transferred to the courthouse or annex. Because the additional employees of the expanded courthouse are to be transferred from facilities less than 0.5 miles from the proposed action, no impact on local demographics is anticipated.

4.2.1.3 Mitigation Measures

No mitigation measures are necessary.

4.2.2 HOUSING

4.2.2.1 No-Action Alternative

Under the No-Action Alternative, the proposed action would not be undertaken. Consequently, there would be no changes in land use patterns or zoning.

4.2.2.2 Build Alternatives

The proposed action is not expected to impact the Norfolk housing market, based on the assumption that the facility would be staffed primarily by individuals presently working at the Walter E. Hoffman U.S. Courthouse and those transferred from two facilities located less than 0.5 miles from the courthouse. Any change in demand for housing in the region as a result of the proposed action is expected to be negligible and, when distributed over both the purchase and rental markets throughout the metropolitan area, is not viewed as a significant adverse impact.

4.2.2.3 Mitigation Measures

No mitigation measures are recommended for housing.

4.2.3 RELOCATION CONSIDERATIONS

4.2.3.1 No-Action Alternative

Under the No-Action Alternative, there would be no construction activity at any of the sites and no displacements. Consequently, there would be no relocation issues.

4.2.3.2 Southern Annex Alternative

The Southern Annex Alternative is currently occupied by a historic, five story, condominium building containing 24 units and the sports bar, Baxter's. All occupied units would be relocated as a result of the proposed action and Baxter's would be displaced.

4.2.3.3 Western Annex Alternative

The Western Annex Alternative is currently a vacant lot. Ground was recently broken on-site for a proposed 31-story Condo Tower. Approximately 302 units are planned for this building. If condominium's were occupied prior to site acquisition for the proposed Courthouse Annex, all occupants would be required to relocate as a result of the proposed action. According to 2000 Census Data, approximately 8,206 housing units in the City of Norfolk were vacant, which would be sufficient to accommodate any necessary relocations.

4.2.3.4 Northern Annex Alternative

The property proposed for the Northern Annex Alternative is currently occupied by a Greyhound Bus terminal (southern portion of the site), Sheriff's satellite office (northeast corner of site), a vacant diner (central-eastern portion of the site), and a former Western Union building (northwest corner of site), all of which would need to be displaced as a result of the proposed action.

4.2.3.5 Eastern and Tower Annex Sites

No businesses or residents occupy the Eastern and Tower Annex Sites. Therefore, no relocation is required.

4.2.3.6 Mitigation Measures

Any displacement would be mitigated through actions pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC section 4601, et seq.) and the Uniform Relocation Act Amendments of 1987 (hereinafter jointly referred to as URA). Information regarding the URA is provided to assist those individuals, families, farmers and/or business owners who may be displaced as a result of the proposed development by providing an overview regarding relocation assistance advisory services and relocation payments. Appendix C provides a more detailed description of relocation policies and provisions. However, such policies and provisions are subject to change; the overview provided here is illustrative only and is neither intended, nor to be relied upon, as an exhaustive summary of rights or benefits that may apply under the URA in specific circumstances.

In the case of the proposed project, owners and tenants of displaced businesses may be eligible for a payment for the actual direct loss tangible personal property resulting from the move or cessation of operations. Any such payment will be based on the value of the item for continued use at the displacement site less the proceeds from its sale or the estimated cost of moving the item, whichever is less. Owners and tenants of businesses that are displaced may be entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property. Expenses may include transportation, meals, and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers or consultants; and other similar expenses.

A small business may be eligible for a payment for expenses actually incurred in relocating and re-establishing the business at a replacement site. To qualify, the business must have at least one but not more than 500 employees working at the selected site who will be affected by the proposed project. Reestablishment expenses may include the following:

- Repairs or improvements to the replacement property required by various laws, codes, or ordinances;
- Modifications to the replacement property to make the structures(s) suitable for the business operation;

- Advertising the new business location, including the installation of exterior advertising signs;
- The cost of installing utilities or improvements on the replacement site;
- Redecoration when required by the condition of the replacement site;
- The cost of license fees and permits when not covered as a moving expense;
- Marketing studies, feasibility surveys, and soil testing;
- Professional real estate services needed for the purchase or lease of a replacement site;
- Increased costs of operation at the replacement site during the first two years for items such as lease or rental charges, personal or real property taxes, insurance premiums, and utility charges; and/or
- Other items that are deemed essential for the re-establishment of the business or farm.

Additional re-establishment costs may be considered eligible if excessive costs are encountered at the replacement site subject to certain limitations.

4.2.4 COMMUNITY SERVICES AND FACILITIES

4.2.4.1 No-Action Alternative

Under the No-Action Alternative, the proposed action would not be undertaken. Consequently, there would be no changes in land use patterns or zoning.

4.2.4.2 Build Alternatives

The proposed facility is not expected to pose a substantial impact upon public service agencies in Norfolk. Site security during the construction phase would be the responsibility of the construction contractor, and federal personnel once the facility becomes operational. With respect to fire protection, the building will be equipped with a fully automatic fire detection, alarm and suppression system, including combined standpipe/sprinkler risers and a fire pump with associated automatic controllers. The design of the system will meet the applicable standards of the National Fire Protection Association's (NFPA) *Life Safety Code Handbook*, the Building Officials and Code Administrators (BOCA) *National Codes* and GSA's *Safety and Environmental Management Program Handbook*.

No adverse impacts are expected to occur with respect to area medical facilities, educational facilities, and emergency medical services. As noted earlier, the personnel associated with the proposed facility are primarily those currently employed at the courthouse and those transferred from two nearby existing locations. Only 75 additional employees are expected to be relocated to the courthouse and annex as a direct result of the proposed action; therefore, no adverse impacts are expected. No direct, indirect, or cumulative impacts are anticipated.

4.2.4.3 Mitigation Measures

Since no substantial adverse impacts to community services and facilities are anticipated as a result of the proposed action, no mitigating measures, outside of the need to coordinate and communicate project construction activities with the appropriate city agencies, would be warranted.

4.2.5 LAND USE

4.2.5.1 No-Action Alternative

Under the No-Action Alternative, the proposed action would not be undertaken. Consequently, there would be no changes in land use patterns. No direct, indirect, or cumulative impacts are anticipated.

4.2.5.2 Build Alternatives

Development of the Southern Annex Site would replace an early twentieth-century/historic residential building as well as a small public plaza. Development of the Western Annex Site would replace an unimproved lot currently under construction. Development of the Northern Annex Site would replace a Greyhound Bus terminal, Sheriff's satellite office, a vacant diner, and a former Western Union building. The development of the Eastern Annex Site would involve closing Monticello Avenue between Bute Street and Brambleton Avenue.

Implementation of the Tower Annex Alternative would involve building the annex in the courtyard portion of the existing courthouse. The tower would extend seven floors above the existing courthouse. Under each alternative, the proposed Courthouse Annex's design would be sensitive to the existing courthouse and its surrounding environs.

Impacts to on-site land use at the Southern, Western, and Northern Annex sites would occur by virtue of the fact that existing occupants of the selected site would be displaced by the proposed action and the current land use would change to that of a courthouse. Relocation actions for site occupants are discussed in Section 4.2.3. Off-site impacts to surrounding land uses also warrant attention.

Any direct impact to neighboring land use as a result of the proposed action would be minimal at any of the sites. All sites are relatively self contained. Indirect impact by virtue of construction activity, increased traffic noise, etc., or other ancillary aspects of site development are temporary and are not expected to induce land use changes or conflicts. No adverse impact due to security or similar operating considerations is anticipated, based on GSA experience at similar facilities. Empirical evidence indicates that the absence of adverse impacts is not dependent on the specific nature of the neighboring land uses. Land uses neighboring U.S. Courthouses in other metropolitan locations include high-density office, commercial, educational, and institutional uses located in close proximity. U.S. Courthouses have been excellent neighbors to private commercial and other public land uses. There is no evidence of adverse land use impacts (i.e. changes either induced or inhibited) due to U.S. Courthouse construction.

The possibility of land use changes area generally postulated on the basis of security considerations. Therefore, potential security-related impacts have been evaluated according to

three primary factors: potential increase in crime, the potential visual impact of security precautions, and the perception of risks or breaches of security.

No adverse impact due to a perceived or actual security risk is anticipated. Avoidance of security violations is a primary concern of GSA. Facilities are designed and operated to ensure that, to the extent possible, risks to security do not occur. An unrealized theoretical potential for a security concern does not, in and of itself, constitute a significant adverse impact.

The Southern, Western, Tower, and Eastern Annex sites are depicted in the Downtown Plan as mixed-use development, with a very small portion of the Eastern Annex site depicted as Educational, Recreational, Cultural, Open Space, and Environmentally Sensitive. The Northern Annex Alternative is depicted as Commercial/Office Use. A negligible adverse impact to land use would occur under the Eastern Annex Alternative in that the small portion of the site would be changed from a cultural use to an institutional use. Otherwise, no direct, indirect, or cumulative impacts to land use are anticipated.

4.2.5.3 Mitigation Measures

Although the proposed action is not anticipated to present adverse impacts on existing land use or plans for any of the sites, to mitigate the perception of potential land use impacts and to maximize the benefits afforded to the surrounding land uses, GSA typically undertakes actions that include the following:

- Provision of all necessary security measures within the interior of the structure, with little or no exterior visibility and intrusiveness;
- Continuous coordination with city agencies and officials to address any design and development issues and concerns; and
- Thoughtful site design and landscape planning to provide the maximum feasible harmony between the facility and its surroundings.

No substantial adverse impact to surrounding land use or zoning is anticipated as a result of the proposed action at any of the sites. No additional mitigation measures related to surrounding land use are warranted.

4.2.6 ZONING

4.2.6.1 No-Action Alternative

Under the No-Build Alternative, the proposed action would not be undertaken. Consequently, there would be no changes in zoning.

4.2.6.2 Build Alternatives

Federal actions such as construction of the proposed U.S. Courthouse are not subject to local land use and zoning regulations. However, in accordance with the Public Buildings Administrative Act (40 USC 3312), GSA will consider the requirements of local laws. In

addition, GSA will provide the local authorities the opportunity to review the project for zoning compliance, building design code compliance, and construction inspection for code compliance (GSA, 1994).

The Southern Annex, Western Annex, and Tower Annex Sites are located in Norfolk's Freemason/Granby Conservation and Mixed Use District (D-3 zone). Government buildings such as the proposed annex are permitted in this district as of right.

The Northern Annex Site is located in Norfolk's Downtown Cultural and Convention Center District (D-4 zone). Government buildings such as the proposed annex are permitted in this district as of right.

Eastern Annex Site is located in Norfolk's Freemason/Granby Conservation and Mixed Use District (D-3 zone) and the Downtown Cultural and Convention Center District (D-4 zone). Government buildings such as the proposed annex are permitted in this district as of right.

No changes in zoning would occur under any of the build alternatives. Consequently, no direct, indirect, or cumulative impacts are anticipated.

4.2.6.3 Mitigation Measures

No substantial adverse impact to zoning is anticipated as a result of the proposed action at any of the site. No additional mitigation measures related to zoning are warranted.

4.2.7 ECONOMY AND EMPLOYMENT

4.2.7.1 No-Action Alternative

Under the No-Build Alternative, the proposed action would not be undertaken. Consequently, there would be no impact to the city or regional economy.

4.2.7.2 Build Alternatives

Economic impacts associated with the proposed action include the following:

- Beneficial impacts to the national economy and Federal expenditures resulting from more effective and efficient Federal court operations.
- Benefits to the economy of Norfolk during both the construction and operation of the proposed facility. Economic benefits would result from job creation, increased sales revenue and the generation of tax revenue to Federal, State and City governments. Both direct and indirect economic benefits would be realized. The proposed action has an estimated construction budget of over \$140 million. Direct economic benefits would result from material purchases in the Norfolk metropolitan area and through construction and operational payrolls. Indirect economic benefits would be realized through the subsequent respending of this initial revenue. Successive respending or "rounds" of economic activity would be stimulated by the initial expenditure of funds commonly referred to as the "multiplier effect".

Direct and indirect economic benefits associated with the construction phase would occur for a limited time, lasting during the actual construction period (approximately 36 months), ending shortly after the project's construction is completed and the multiplier effect is exhausted. Economic activity generated during the operational phase of the U.S. Courthouse and Proposed Annex, on the other hand, would continue throughout the life of the facility.

Past, present, and future development in the vicinity of the site would result in a moderate, beneficial, long-term cumulative impact on the economy, employment, and revenues of the region.

4.2.7.3 Mitigation Measures

No mitigation measures are recommended for economy and employment.

4.2.8 FISCAL CONSIDERATIONS

Fiscal considerations are those having to do with the public treasury or revenues. Potential fiscal impacts could, but do not always, include the following:

- Removal of the property (i.e. site) from the public tax rolls;
- Acquisition of the property through use of public funds; and
- Other public expenditures related to the proposed public action (e.g. utility connections).

4.2.8.1 No-Action Alternative

Under the No-Action Alternative, GSA would not acquire any of the sites. There would be no changes to state and local taxes and revenues. Therefore, there would be no direct, indirect, or cumulative impacts to Fiscal Considerations.

4.2.8.2 Southern Annex Alternative

Because Federal agencies does not pay local property tax, the use of the Southern Annex Site for the proposed Courthouse Annex would result in the removal of the property from the Norfolk property tax base. However, this impact is expected to be minor. This minor impact is offset by virtue of the beneficial impacts the proposed action would bring to the economy of Norfolk in terms of construction employment and materials purchases.

Secondary jobs related to the increased economic activity stimulated by the proposed action may be created. Additional retail services and business employment may result from the proposed action through a multiplier effect, yielding additional sales and income tax revenues for local and state governments, thus having a beneficial indirect impact.

Past, present, and future development in the vicinity of the Southern Annex Alternative has and will continue to create revenue for the city.

4.2.8.3 Western Annex Alternative

The use of the Western Annex Site for the proposed Courthouse Annex would result in the loss of tax revenue to the city. This impact is expected to be negligible as the property is currently unimproved. However, the site is currently undergoing development and is the location of the future Granby Tower Condominiums. Granby Tower will contain approximately 302 units. This development will raise the property tax revenue collected by the city substantially and loss of this revenue would have a moderate impact on the city's revenue.

Secondary jobs related to the increased economic activity stimulated by the proposed action may be created. Additional retail services and business employment may result from the proposed action through a multiplier effect, yielding additional sales and income tax revenues for local and state governments, thus having a positive indirect impact.

Past, present, and future development in the vicinity of the Western Annex Alternative has and will continue to create revenue for the city.

4.2.8.4 Northern Annex Alternative

The use of the Northern Annex Site for the proposed Courthouse Annex would result in the loss of tax revenue to the city. This impact is expected to be negligible as the property does not currently generate a significant tax revenue for the city.

Secondary jobs related to the increased economic activity stimulated by the proposed action may be created. Additional retail services and business employment may result from the proposed action through a multiplier effect, yielding additional sales and income tax revenues for local and state governments, thus having a positive indirect impact.

Past, present, and future development in the vicinity of the Northern Annex Alternative has and will continue to create revenue for the state, county, and local governments.

4.2.8.5 Eastern Annex Alternative

Currently, real estate tax is not collected for the Eastern Annex Alternative. Consequently, no adverse direct impacts are anticipated.

Secondary jobs related to the increased economic activity stimulated by the proposed action may be created. Additional retail services and business employment may result from the proposed action through a multiplier effect, yielding additional sales and income tax revenues for local and state governments, thus having a positive indirect impact.

Past, present, and future development in the vicinity of the Eastern Annex Alternative has and will continue to create revenue for the state, county, and local governments.

4.2.8.6 Tower Annex Alternative

Currently, real estate tax is not collected for the Tower Annex Alternative. Consequently, no adverse direct impacts are anticipated.

Secondary jobs related to the increased economic activity stimulated by the proposed action may be created. Additional retail services and business employment may result from the proposed action through a multiplier effect, yielding additional sales and income tax revenues for local and state governments, thus having a positive indirect impact.

Past, present, and future development in the vicinity of the Tower Annex Alternative has and will continue to create revenue for the state, county, and local governments.

4.2.8.7 Mitigation Measures

No mitigation measures are recommended for Fiscal Considerations.

4.2.9 AESTHETICS AND VISUAL RESOURCES

4.2.9.1 No-Action Alternative

Under the No-Action Alternative, there would be no building demolition or construction activity at either site. Consequently, there would be no direct, indirect, or cumulative impacts to aesthetics or visual resources.

4.2.9.2 Build Alternatives

The sites would be disrupted during the construction period by virtue of site preparation, building construction, landscaping, and other related activities. The construction period is temporary and, once concluded, the aesthetic characteristics of the general area beyond the bounds of the sites would not be significantly altered.

No adverse impact has been found to result from the visual aspects of security precautions in the vicinity of courthouse facilities. Security measures are unobtrusive and are generally internal rather than external. In most instances, persons passing by U.S. Courthouses are generally unconcerned with the nature of such facilities.

The proposed Courthouse Annex would be developed as part of an overall architectural composition to present a visually simplified and unified image that is aesthetically pleasing and compatible with the surrounding area in terms of site arrangement, building materials and landscape treatments. Views of the Courthouse Annex from the adjoining roadways and properties would reveal a structure compatible with its surroundings. No adverse direct, indirect, or cumulative impacts are expected.

4.2.9.3 Mitigation Measures

No mitigation measures beyond the maintenance of sensitive site planning and architectural and landscape design treatments are necessary.

4.3 CULTURAL ENVIRONMENT

4.3.1 ARCHAEOLOGICAL RESOURCES

4.3.1.1 No-Action Alternative

Under the No-Action Alternative, the proposed annex would not be constructed and no impacts to archaeological resources would take place.

Under this alternative, there would be no direct, indirect, or cumulative impacts to archaeological resources at the existing facility.

4.3.1.2 Southern Annex Alternative

Construction of the courthouse annex at this site would entail ground disturbing activities. A review of a series of historic maps indicates that there remains a potential for archaeological deposits dating to the nineteenth and twentieth centuries, and perhaps as early as the eighteenth century, within the Southern Annex Alternative. Therefore, ground disturbance may result in a moderate, adverse, long-term, direct impact to archaeological resources.

No indirect impacts would result from construction at the Southern Annex Alternative. It is not likely that the use of the Southern Annex Alternative would be a catalyst for future development. Therefore, negligible, adverse, indirect impacts would occur under this alternative.

4.3.1.3 Western Annex Alternative

Construction of the courthouse annex at this site would entail ground disturbing activities. A review of a series of historic maps indicates that there remains a potential for archaeological deposits dating to the nineteenth and twentieth centuries, and perhaps as early as the eighteenth century, within the Western Annex Alternative. Such ground disturbance may result in a moderate, adverse, long-term, direct impact to archaeological resources.

No indirect impacts would result from construction at the Western Annex Alternative. It is not likely that the use of Western Annex Site would be a catalyst for future development. Therefore, negligible, adverse, indirect impacts would occur under this alternative.

4.3.1.4 Northern Annex Alternative

Construction of the courthouse annex at this site would entail ground disturbing activities. A review of a series of historic maps indicates that there remains a potential for archaeological deposits dating to the nineteenth and twentieth centuries, and perhaps as early as the eighteenth century, within the Northern Annex Alternative. Such ground disturbance may result in a moderate, adverse, long-term, direct impact to archaeological resources.

No indirect impacts would result from construction at the Northern Annex Alternative. It is not likely that the use of the Northern Annex Alternative would be a catalyst for future development. Therefore, negligible, adverse, indirect impacts would occur under this alternative.

4.3.1.5 Eastern Annex Alternative

Construction of the courthouse annex at this site would entail ground disturbing activities. A review of a series of historic maps indicates that there remains a potential for archaeological deposits dating to the nineteenth and twentieth centuries, and perhaps as early as the eighteenth century, within the Eastern Annex Alternative. Therefore, ground disturbance may result in moderate, adverse, long-term, direct impact to archaeological resources.

No indirect impacts would result from construction at the Eastern Annex Alternative. It is not likely that the use of the Eastern Annex Alternative would be a catalyst for future development. Therefore, negligible, adverse, indirect impacts would occur under this alternative.

4.3.1.6 The Tower Annex Alternative

Construction of the courthouse annex at this site would entail ground-disturbing activities. A review of a series of historic maps indicates that there remains a low potential for archaeological deposits dating to the nineteenth and twentieth centuries, and perhaps as early as the eighteenth century, within portions of the Tower Annex Alternative. Therefore, only minor, direct, long-term, adverse impacts to archaeological resources are anticipated.

No indirect impacts would result from construction at the Tower Site alternative. It is not likely that the use of the Tower Site alternative would be a catalyst for future development. Therefore, a negligible, adverse, indirect impact would occur under this alternative.

4.3.1.7 Mitigation Measures

The following mitigation measures could be implemented for archaeological resources:

- Conduct a Phase IA survey of the proposed annex sites that would include a detailed examination of historic maps to identify specific areas where intact archaeological resources may be present.
- Conduct a Phase IB/II identification survey and NRHP evaluation of areas identified during the Phase IA study as likely having intact archaeological deposits. This study would be used to identify any archaeological deposits present and to collect data to be used to determine whether the deposits are eligible for listing in the NRHP.
- If any archaeological resources are determined to be eligible for listing in the NRHP, an MOA would be developed to identify appropriate measures to mitigate adverse effects associated with the construction of the courthouse annex.

4.3.2 ARCHITECTURAL RESOURCES

4.3.2.1 No-Action Alternative

Under the No-Action Alternative, the proposed annex would not be constructed and no impacts to historic structures would take place. Under this alternative, there would be no direct, indirect, or cumulative impacts to historic structures at the existing facility.

4.3.2.2 Southern Annex Alternative

Under the Southern Annex Alternative, the construction of the proposed Courthouse Annex would occur within the Downtown Norfolk Historic District and would necessitate demolition of a contributing resource to the district: the former Showcase Furniture building, currently the Lofts at 500 Granby. Construction on the Southern Annex Site would alter the current historic viewshed by eliminating a contributing resource to Downtown Norfolk Historic District as well as introducing a new and contrasting visual element to that district and the adjacent National Register listed Walter E. Hoffman U.S. Courthouse.

Building the Courthouse Annex on the Southern Annex Site would also introduce modern elements to the area. These elements may be different in design and massing from the remaining contributing resources to the historic district, creating a visual intrusion that may also be incompatible with the existing architecture. Under Section 106 of the National Historic Preservation Act, the proposed construction would constitute an Adverse Effect on the Downtown Norfolk Historic District and the Walter E. Hoffman U.S. Courthouse. Consequently, construction on this site would create a moderate, adverse, long-term, direct impact to historic architectural resources.

The area is currently experiencing wide scale growth and renewal. It is not likely that the use of the Southern Annex Alternative would be a catalyst for substantial future re-development within the historic district; therefore, negligible, adverse, indirect impacts to historic resources are anticipated under this alternative.

The construction of Granby Tower, as well as the effects of other smaller developmental changes in the area, has contributed to the changes in the historic character of the District. The demolition and re-development of the Southern Annex Alternative would also contribute to the cumulative impacts to the District by demolishing a contributing resource to that district. A moderate, adverse cumulative impact would occur under this alternative.

4.3.2.3 Western Annex Alternative

Under the Western Annex Alternative, the construction of the proposed Courthouse Annex would involve construction within the Downtown Norfolk Historic District. The Courthouse Annex on the Western Annex Site would be immediately adjacent to National Register listed resources, introducing modern elements into the historic setting. The new construction may be different in materials, size, and massing to adjacent historic resources and thus may be visually and architecturally incompatible with historic structures. In terms of Section 106 of the National Historic Preservation Act, this would constitute an Adverse Effect on the Downtown Norfolk Historic District and the Walter E. Hoffman U.S. Courthouse. Consequently, construction on this site would create a moderate, adverse, long-term, direct impact to historic architectural resources.

Indirect and cumulative impacts under the Western Annex Alternative would be the same as those described for the Southern Annex Alternative.

4.3.2.4 Northern Annex Alternative

Under the Northern Annex Alternative, the present Greyhound Bus Terminal and parking lot would be demolished and a new annex constructed on the site. Construction at the Northern Annex Site would introduce modern elements to the viewshed of the Walter E. Hoffman U.S. Courthouse. Although there would be some impact, given the present nature of the site, with open parking spaces and modern buildings, the construction of the annex on this site would not substantially impact the overall visual continuity of the historic district and would not substantially alter the current viewshed surrounding the Courthouse and the Downtown Norfolk Historic District. In terms of Section 106 of the National Historic Preservation Act, this would constitute No Adverse Effect on the Downtown Norfolk Historic District and the Walter E. Hoffman U.S. Courthouse. Construction on this site would create a minor, adverse, long-term, direct impact to historic structures.

The area is currently experiencing wide scale growth and renewal. The construction on the Northern Annex Alternative Site would not have a substantial effect on architectural resources when compared to the effect of the widespread development already under way in the vicinity. Therefore, a negligible, adverse, indirect impact would occur under this alternative.

Although the demolition and re-development of the Northern Annex Alternative would contribute somewhat to the cumulative changes already taking place in the vicinity of the courthouse, the Northern Annex Alternative is not located within the historic district and is not of sufficient size and massing to have an impact on contributing resources due to its distance from the majority of the structures. The closest contributing resource is the Walter E. Hoffman U.S. Courthouse, which is the largest building in the vicinity and provides a visual screen to the remainder of the District. Therefore, a negligible, adverse cumulative indirect impact would occur under this alternative.

4.3.2.5 Eastern Annex Alternative

Under the Eastern Annex Alternative, an addition would be constructed on the east façade of the present Walter E. Hoffman U.S. Courthouse. The addition would be similar in design and scale to the existing courthouse. However, the addition would conceal a major part of the eastern façade of this National Register listed building, thus altering its physical and visual character. Construction on the Eastern Annex Site would introduce modern intrusive elements to this National Register resource, and constitute an Adverse Effect in terms of Section 106. As the courthouse is also a contributing resource to the Downtown Norfolk Historic District, this would also adversely affect that District. Construction on this site would create a moderate, adverse, long-term, direct impact to historic structures.

Indirect and cumulative impacts under the Eastern Annex Alternative would be the same as those described for the Southern Annex Alternative.

4.3.2.6 Tower Annex Alternative

The Tower Annex Alternative would consist of constructing a seven-story tower above the current Walter E. Hoffman U.S. Courthouse building, which is a National Register, listed historic property and is also a contributing resource to the Downtown Norfolk Historic District.

Construction of the Tower Annex Alternative would alter the current historic viewshed by altering the massing and scale of the present building as well as introducing a new visual element to the Downtown Norfolk Historic District. In terms of Section 106 of the National Historic Preservation Act, the addition of new elements would constitute an Adverse Effect on the Downtown Norfolk Historic District and the Walter E. Hoffman U.S. Courthouse. Consequently, construction on this site would create a moderate, adverse, long-term, direct impact to architectural and visual resources.

Indirect and cumulative impacts under the Tower Annex Alternative would be the same as those described for the Southern Annex Alternative.

4.3.2.7 Mitigation Measures

Mitigation measures would be different, depending upon the alternative selected. Any mitigation would be a result of meetings between GSA, the Virginia SHPO, and any consulting parties and would be established in a Memorandum of Agreement (MOA). Design for any of the four alternatives would meet the Secretary of Interior's guidelines for new additions to historic buildings and construction within historic districts.

The following mitigation measures are examples of those that could be implemented for historic structures:

- Landscaping around the perimeter of the site could be implemented to help screen the view of the building from neighboring buildings.
- Low-intensity lighting could be used where feasible.
- Design should be careful to complement the scale, massing, and design of the surrounding visual resources, especially those features of the existing courthouse.
- Photographic and further historical documentation of affected historic resources in consultation with the Department of Historic Resources of Virginia prior to commencement of demolition or construction.

Prior to construction within this Downtown Norfolk Historic District, applicants must obtain a certificate of appropriateness from the design review committee within the planning commission. However, GSA, as a federal agency, is not required to do so (City of Norfolk, 2006).

4.4 INFRASTRUCTURE

The following section describes impacts to infrastructure, including utilities, transportation, and waste management, for the No-Action Alternative and for the Build Alternatives.

4.4.1 UTILITIES

4.4.1.1 No-Action Alternative

Under the No-Action Alternative, the proposed action would not be undertaken. Consequently, there would be no impact to area utilities

4.4.1.2 Build Alternatives

Regardless of which alternative is selected for development of the proposed annex, underground utilities (water, sewer, electricity, gas, and telephone) would need to be relocated. Utility company representatives have indicated that these utilities could all be relocated with little or no interruptions to service.

Water Supply and Distribution

The proposed project would require a potable water supply for domestic consumption as well as for heating and cooling systems and fire protection purposes. The anticipated average water demand for the buildings domestic consumption is approximately 15,300 gallons per day (gpd) based on 115 percent of the structure's wastewater load (assuming 75 gpd per 1,000 square feet of building space).

The city's water system is currently permitted for a maximum flow of 107 million gallons per day (mgd) and current usage averages approximately 60 mgd. The increase in demand resulting from the proposed project is not expected to present a substantial adverse impact on the city's raw water sources, treatment capability, or distribution system. Representatives of the City of Norfolk, Department of Utilities have indicated that they anticipate no unusual difficulties provided water service to the sites.

Past, present, and future development would increase the usage of the area's water supply and its capacity for distribution. This development would have a minor, adverse, cumulative impact on the water supply. The proposed Courthouse Annex would contribute negligibly to these cumulative impacts.

Wastewater Treatment

The proposed facility would require wastewater collection, which would be provided by the City of Norfolk, Department of Utilities. The Hampton Roads Sanitation District would provide treatment of wastewater. Sewage generation was estimated using a standard multiplier (75 gpd per 1,000 square feet of building floor space), and is projected to total approximately 13,300 gpd. An existing eight-inch sewer main is located within the Brambleton Avenue right-of-way adjacent to the existing courthouse. This sewage main has sufficient capacity to accommodate the increased load generated by the proposed action. Representatives of both Hampton Roads Sanitation District and the Department of Utilities anticipate no unusual difficulties providing collection and treatment service to the sites.

The treatment plant that services the portion of Norfolk in which the courthouse is located has a permitted capacity of 40 mgd and currently accepts between 28 and 32 mgd. The potential

wastewater generation resulting from the operation of the proposed facility is well within the system's existing capacity and is not expected to pose an adverse impact.

Past, present, and future development would increase the demand for wastewater treatment services in the area. This development would have a minor, adverse, cumulative impact on wastewater treatment. The proposed Courthouse Annex would contribute negligibly to these cumulative impacts.

Electricity

Three distribution systems would be provided within the structure: 1) "normal" to serve general lighting and power loads; 2) "emergency" to serve life safety and critical loads; and 3) "uninterruptible" to serve critical loads which cannot be interrupted. All distribution equipment would be sized to include spare capacity in accordance with GSA guidelines. Dominion Virginia Power representatives have indicated that adequate electric service can be provided to any of the sites without adverse impacts to existing service capabilities. Representatives also indicate that they would be able to supply the necessary level of electrical service to the proposed facility in terms of voltage, capacity and reliability.

Past, present, and future development would increase the demand for electricity in the area. This development would have a minor, adverse, cumulative impact on electricity supplies. The proposed Courthouse Annex would contribute negligibly to these cumulative impacts.

Natural Gas

Virginia Natural Gas, Inc. would provide natural gas to the annex via transmission lines which exist along the south side of Brambleton Avenue. Additional lines exist within the rights-of-way of Monticello Avenue and Charlotte Street. According to company officials, the proposed project would have no adverse impact on gas supplies to other customers. Upon presentation of specific service and usage requirements and BTU ratings, it is anticipated that the company would conduct a detailed analysis to determine the most feasible arrangement for providing gas to the proposed facility. Conversations with company representatives indicate that the necessary level of service can be provided without adverse impact to their existing service capabilities.

Past, present, and future development would increase the demand for natural gas in the area. This development would have a minor, adverse, cumulative impact on Natural Gas supplies. The proposed Courthouse Annex would contribute negligibly to these cumulative impacts.

4.4.1.3 Mitigation Measures

The following mitigation measures may need to be conducted the site:

Water Supply and Distribution

Coordination between GSA, the construction contractor and city officials would ensure that there are no disruptions to the city's water supply and distribution service. No other mitigation measures are warranted.

Wastewater Treatment

Coordination between GSA, the construction contractor, and city officials would ensure that there are no disruptions to the city's water supply and distribution service. No other mitigation measures are warranted.

Electricity

All service requirements, service alternatives, optimum service locations and arrangements would be coordinated with Dominion Virginia Power representatives. Other than temporary impacts such as noise and dust associated with the construction of electric utility connections, there are no adverse impacts associated with providing electricity to any of the sites.

Natural Gas

Upon presentation of specific service and usage requirements and BTU ratings, it is anticipated that the company would conduct a detailed analysis to determine the most feasible arrangement for providing gas to the proposed facility. Conversations with company representatives indicate that the necessary level of service can be provided without adverse impact to their existing service capabilities.

4.4.2 TRANSPORTATION

The proposed expansion to the Norfolk Federal Courthouse is expected to be completed by 2012. There are five sites being considered for this expansion. They are all located within one block of the existing Courthouse.

4.4.2.1 No-Action Alternative

Under the No-Action Alternative, the Norfolk Federal Courthouse expansion would not occur and the existing number of people who regularly use this facility would continue to do so with no projected increase.

The No-Action Alternative includes future anticipated peak hour traffic volumes for roadways near the site. These volumes are the sum of the existing traffic volumes, plus the background growth in the area and any approved un-built developments in the study area.

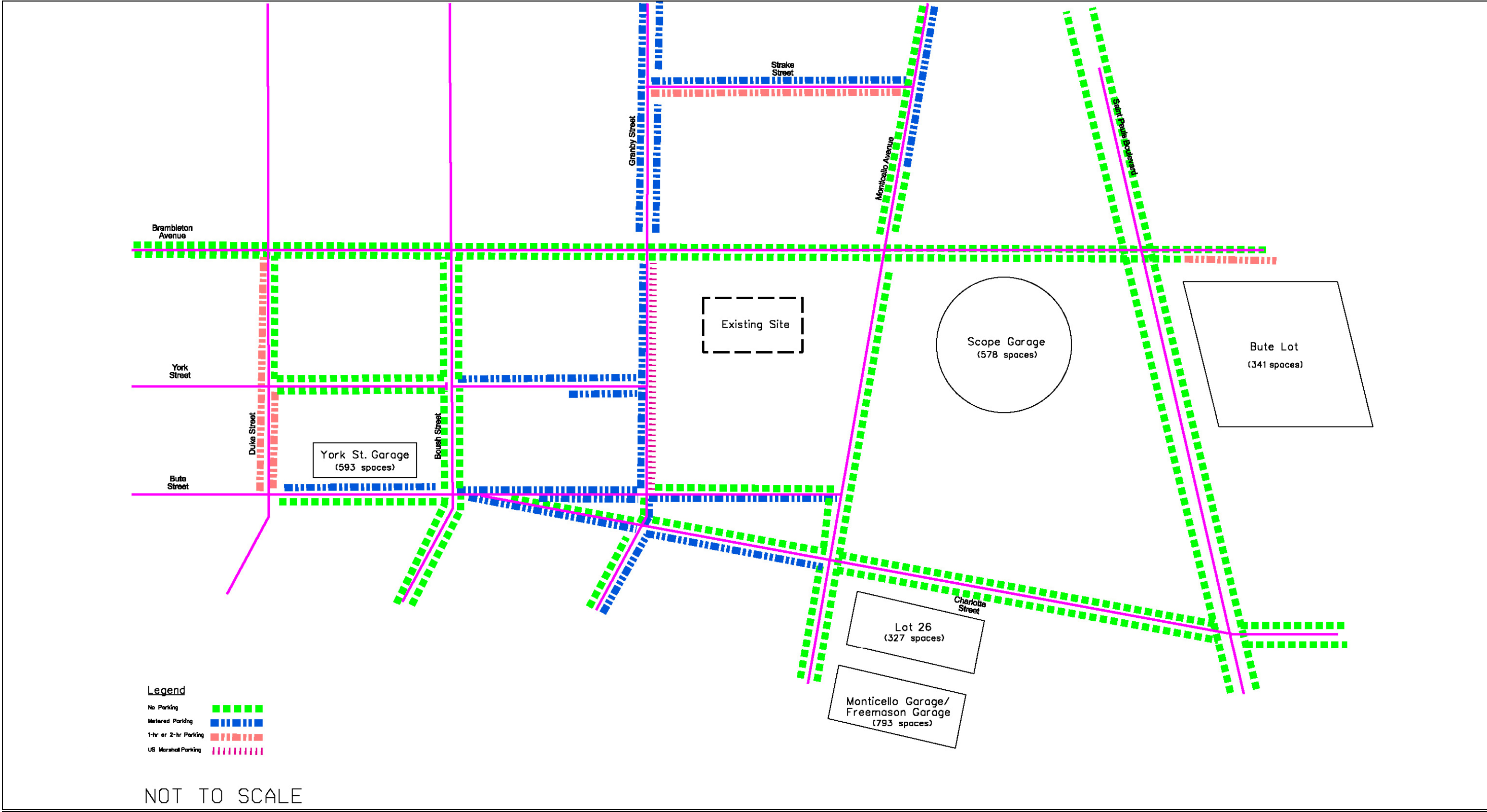


Figure 4-1: Parking

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Background Growth

Developments, which are approved, but are not yet built or occupied, are included in the background traffic. The city of Norfolk has a Synchro Model for the downtown area for the year 2026. This model includes background historic growth and approved yet un-built developments. Using the projected traffic in this model, the following growth rates were developed along the study roadways:

- 2% annual growth along Brambleton Avenue
- 3.5% annual growth along Granby Street
- 3% annual growth along Bute Street, Charlotte Street, and Monticello Street.
- 1% annual growth along all other study area roadways.

It should be noted that these rates include the background developments. Thus, the No-Action traffic volumes were derived, using the existing traffic volumes, the growth rates presented above and a methodology presented in the National Cooperative Highway Research Program Report 255 (NCHRP 255). These volumes are presented in Figure 4-1.

Traffic Operations Analysis

Conditions in 2012, under the No-Action Alternative, were evaluated using the methodology mentioned previously. The No-Action traffic and existing roadway geometry were included in the analysis. The LOS results are graphically depicted in Figure 4-2 and presented in Table 4-1.

Table 4-1. No Action Alternative LOS Results (2012)

Intersection	AM LOS (Delay)	PM LOS (Delay)
Brambleton Ave. and Monticello Ave.	A (9.7)	B (15.5)
Brambleton Ave. and Granby St.	A (7.9)	B (15.4)
Brambleton Ave. and Duke St.	C (26.7)	D (35.5)
Brambleton Ave. and St. Paul's Blvd.	E (56.7)	D (50.0)
Brambleton Ave. and Boush St.	B (14.2)	B (14.5)
Charlotte St. and Monticello Ave.	B (16.7)	B (13.3)
Charlotte St. and St. Paul's Blvd.	A (8.4)	B (11.6)
E. Bute St. and St. Paul's Blvd.	A (5.4)	A (2.9)
Boush St. and Bute St.	B (18.2)	B (10.8)
Charlotte St. and Granby St.	b (12.4)	c (20.4)

Bute St. and Granby St.	b (13.9)	b (15.5)
York St. and Granby St.	a (10.7)	a (9.9)
Bute St. and Monticello Ave.	b (11.6)	b (13.2)
Granby St. and Strake St.	b (12.1)	b (10.7)
Monticello Ave. and Strake St.	a (10.0)	b (10.9)

X – signalized intersection LOS; x – unsignalized movement LOS

Results of the analysis indicate that with the projected background growth (under the No-Action Alternative) all the intersections with the exception of the Brambleton Avenue/St. Paul's Boulevard intersection are expected to operate at LOS D or better during the AM and PM peak hours. The intersection at Brambleton Avenue/St. Paul's Boulevard is expected to operate at LOS D during the PM peak hour and at capacity conditions (LOS E) during the AM peak hour. All movements at the unsignalized intersections are expected to continue operating at LOS C or better during both the AM and PM peak hours.

4.4.2.2 Build Alternatives

The new expansion is expected to result in 75 new employees and some additional jurors at the Norfolk Federal Courthouse. There are five sites for the proposed Norfolk Courthouse Expansion. They are as follows:

- South Option
 - This option involves expansion to the south of Bute Street. This would involve the closure of Bute Street between Monticello Avenue and Granby Street. Monticello Avenue would also become a two lane roadway.
- West Option
 - This option involves expansion to the west of the existing courthouse across Granby Street. This proposed facility would be bounded by Brambleton Avenue to the north, Granby Street to the east, and Bute Street to the south. York Road, west of Granby Street would be closed.
- North Option
 - This option involves construction to the north of Brambleton Avenue. The new site would be bounded on the north by Strake Street, on the east by Monticello Avenue, and on the west by Granby Street. The existing and the new proposed building would be connected via a walkway.

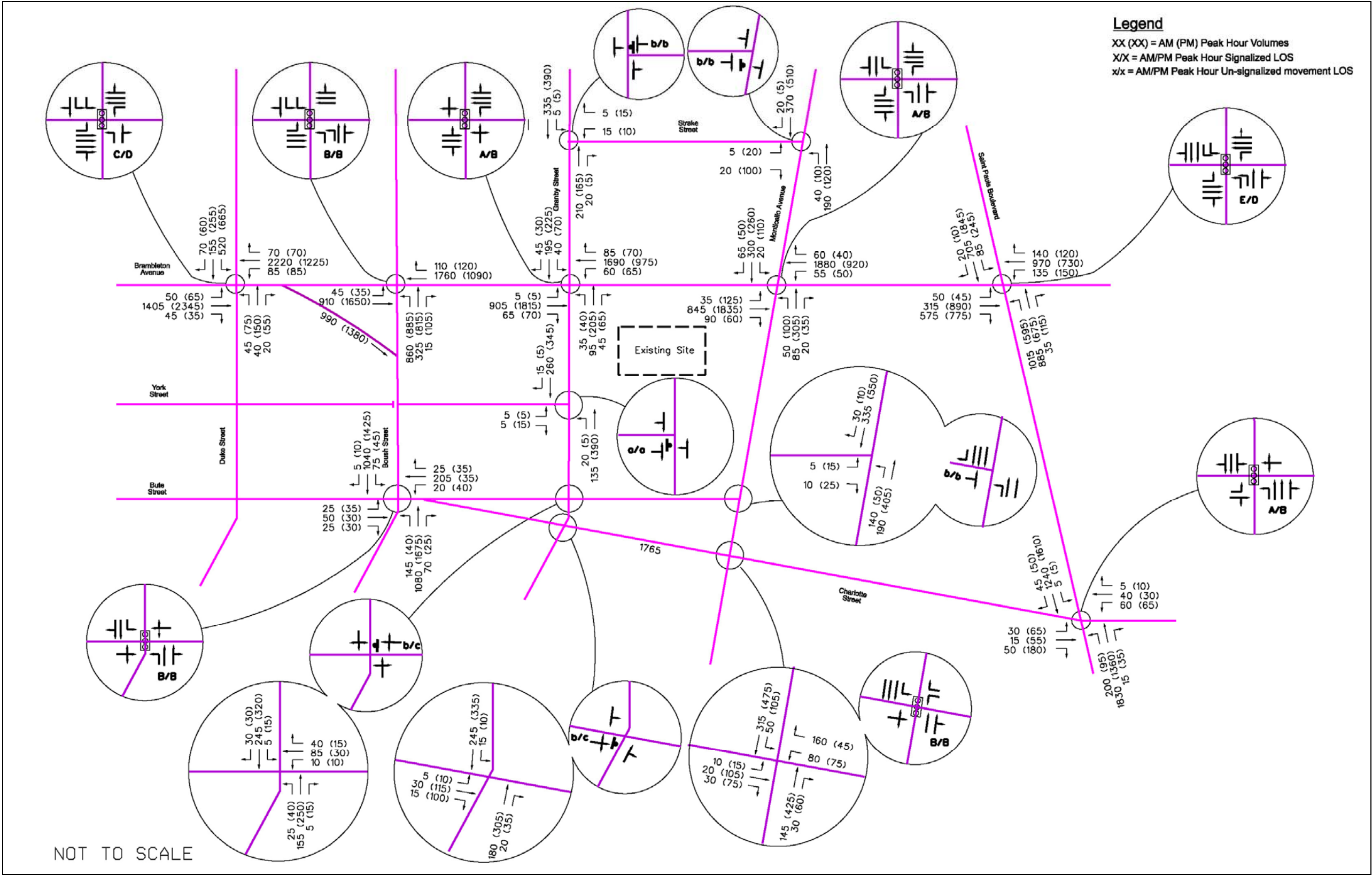


Figure 4-2: No-Action Traffic Volumes, Lane Geometry, and LOS Analysis

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- East Option
 - This option involves expansion to the east of the existing courthouse. It would involve the closure of Monticello Avenue between Bute Street and Brambleton Avenue.
- Tower Option
 - This alternative involves building a tower on top of the exiting courthouse. This option would involve the closure of Bute Street between Monticello Avenue and Boush Street. Monticello Avenue would become a two lane roadway.

Site Trip Generation

The number of vehicle-trips generated by these additional employees/jurors was estimated using the Institute of Transportation Engineers (ITE) Trip Generation manual and GSA's prior experience with similar facilities. The Single Tenant Office land use was used to develop the trips for the new employees and discussions with GSA and their prior experience with these types of facilities were used to determine the trip making patterns of jurors.

Thus, this proposed expansion is expected to generate approximately 140 trips during the AM peak hour and 145 trips during the PM peak hour. The trip generation analysis is presented in Table 4-2 below.

Table 4-2: Trip Generation

Land Use	ITE Land Use Code	Size	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Federal Employees	Single Tenant Office Building (715)	75	51	6	57	10	59	69
Jurors	GSA*		85	-	85	-	77	77
Total			136	6	142	10	136	146

* This information is based on the GSA's prior experience with other courthouses in the country

Site Trip Distribution

The trip distribution of the additional employees and the jurors were estimated based on the existing traffic patterns, roadway systems, and the parking locations. The site trip distribution percentages are presented in Figure 4-3 and they are as follows:

- 10 percent to/from the east along Brambleton Avenue
- 30 percent to/from the south along St. Paul's Boulevard
- 10 percent to/from the south along Boush Street
- 20 percent to/from the west along Brambleton Avenue
- 10 percent to/from the north along St. Paul's Boulevard
- 10 percent to/from the north along Duke Street
- 5 percent to/from the north along Monticello Street
- 5 percent to/from the north along Granby Street

The Federal Courthouse does not provide onsite parking for anyone apart from judges, and thus employees and jurors would have to park at surrounding parking garages or at the spaces provided on the streets. The on-street parking along a majority of the streets, however, is restricted to 1 to 2 hour metered parking. Thus, we do not expect employees or jurors to make use of the on-street parking on a regular basis.

The Scope Coliseum parking garage is open to the public when events are not being held at it. The Scope's location makes it the most likely garage that the new employees/jurors would use as it is across street from the Federal Courthouse. Furthermore, it is our understanding that this garage is most frequently used by the current employees and jurors of the courthouse. In fact the U.S. Marshals website mentions this garage as the location for parking. Thus, we believe that most of the additional employees and jurors would be using this garage. Access to this garage is provided via St. Paul's Boulevard.

Site Trip Assignment

The trip generation estimate for the Norfolk Federal Courthouse sites were distributed along the study area roadways/intersections based on the trip distribution estimates presented above. The site trip assignments are presented in Figure 4-4.

Traffic Operations Analysis

Total traffic volumes were determined by adding the site traffic volumes to the No-Action volumes. It should be noted that because the South and East Options involve the closure of Bute Street and Monticello Avenue, the volumes projected for these roadway had to be redistributed. Thus, Figures 4-5, 4-6, 4-7, and 4-8 present the Action Alternatives Volumes Lane Geometries and LOS results. Figures 4-5 and 4-6 present the volumes for the North and West Alternatives, respectively. Figure 4-7 presents the volumes for the East Alternative and Figure 4-8 presents the volumes for South and the Tower Alternatives.

Intersection capacity analyses were performed at the study intersections and the results are presented in Figures 4-5, 4-6, 4-7, and 4-8. The LOS results for the North and West Alternatives are presented in Table 4-3.

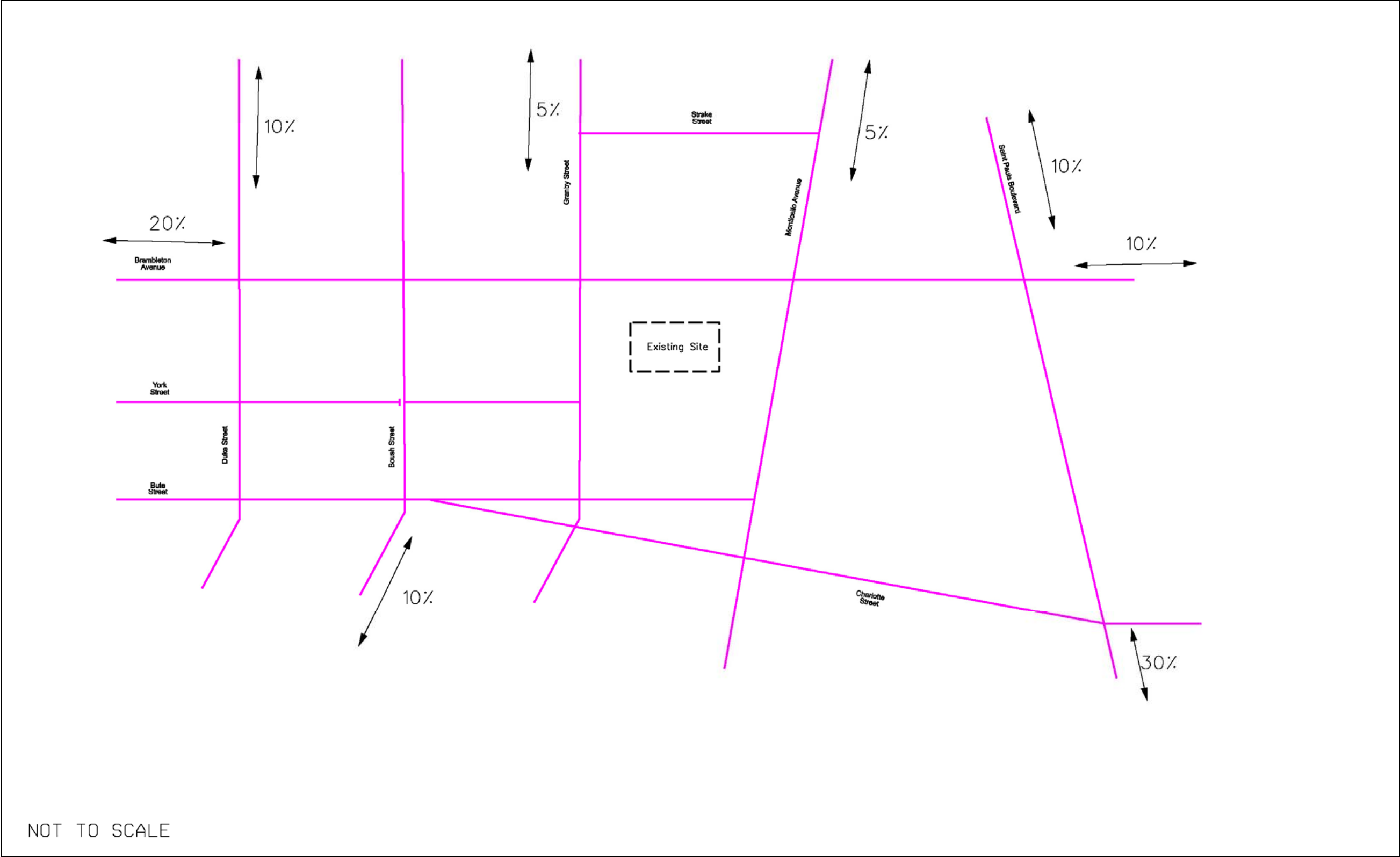


Figure 4-3: Site Trip Distribution

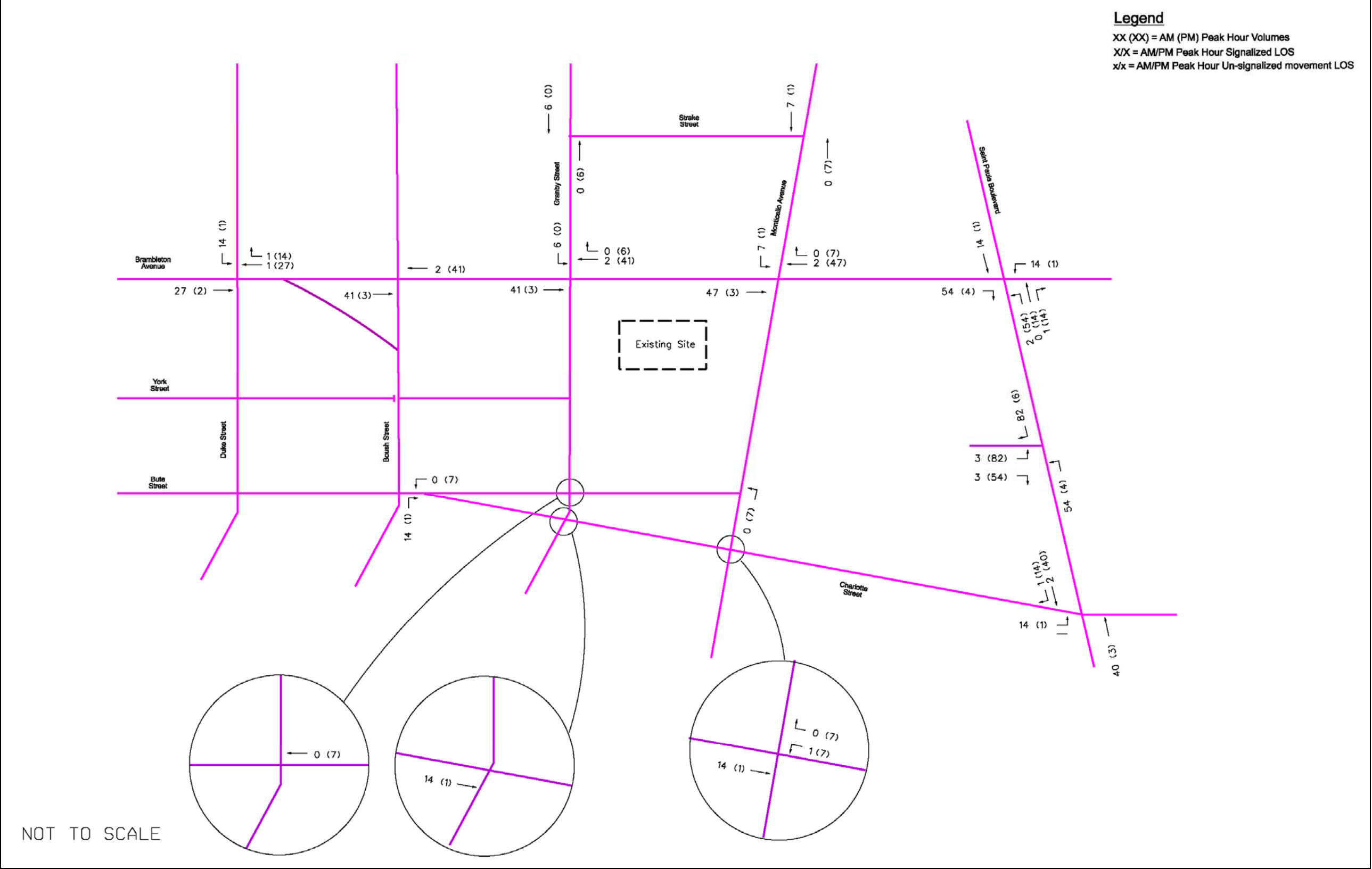


Figure 4-4: Site Trip Assignment

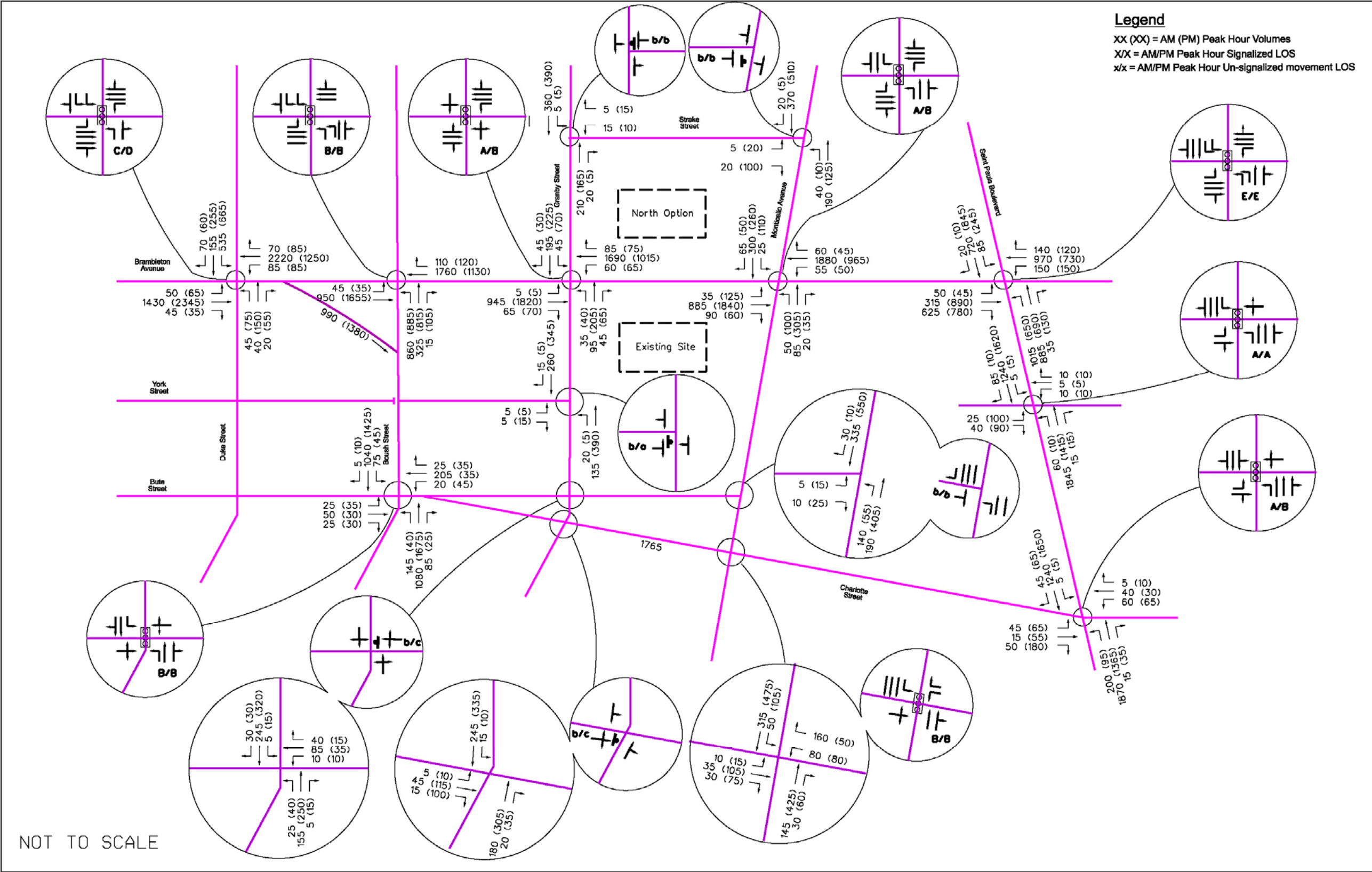


Figure 4-5: North Option Build Traffic Volumes, Lane Geometries, and LOS Results

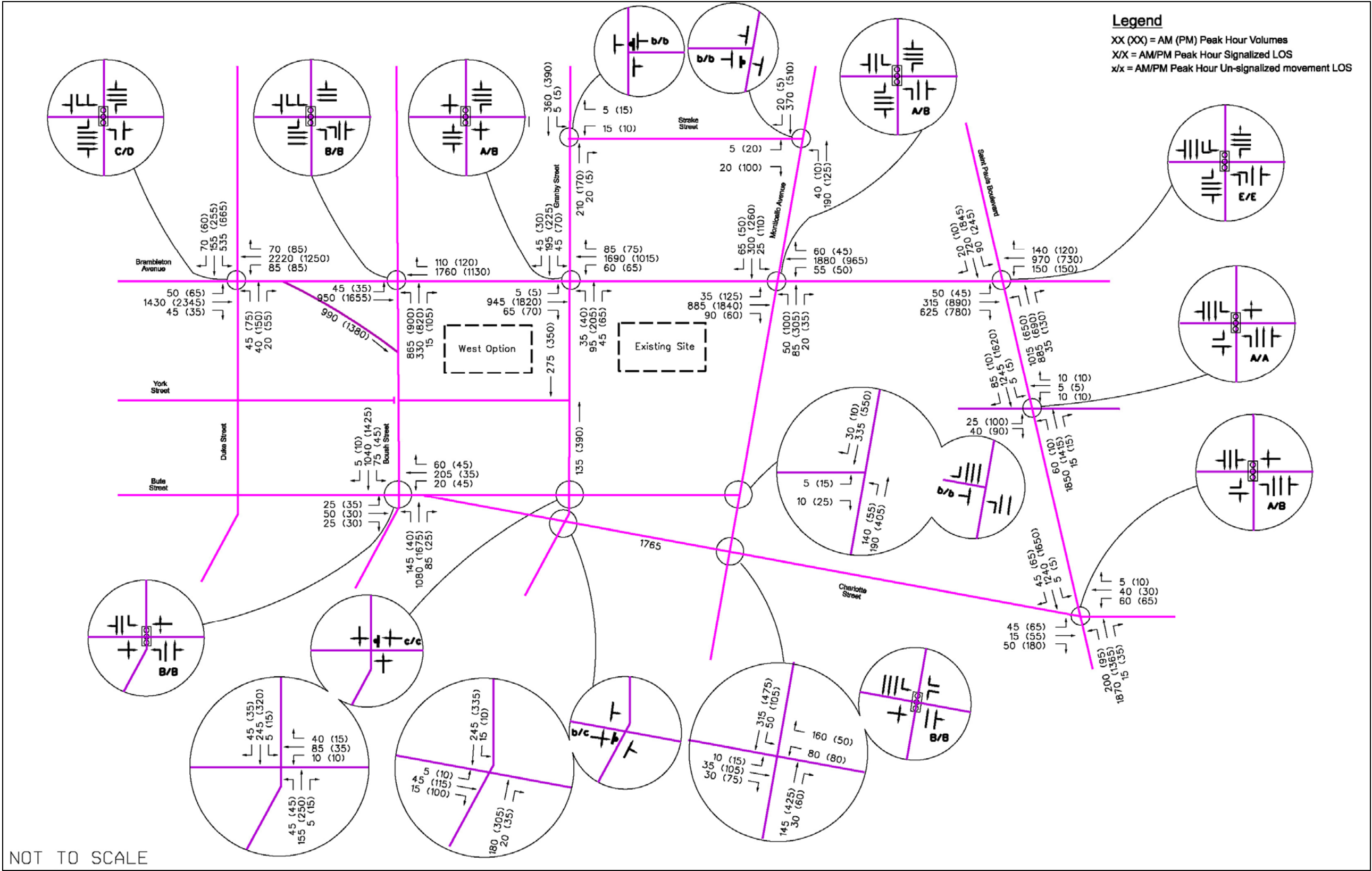


Figure 4-6: West Option Build Traffic Volumes, Lane Geometries, and LOS Results

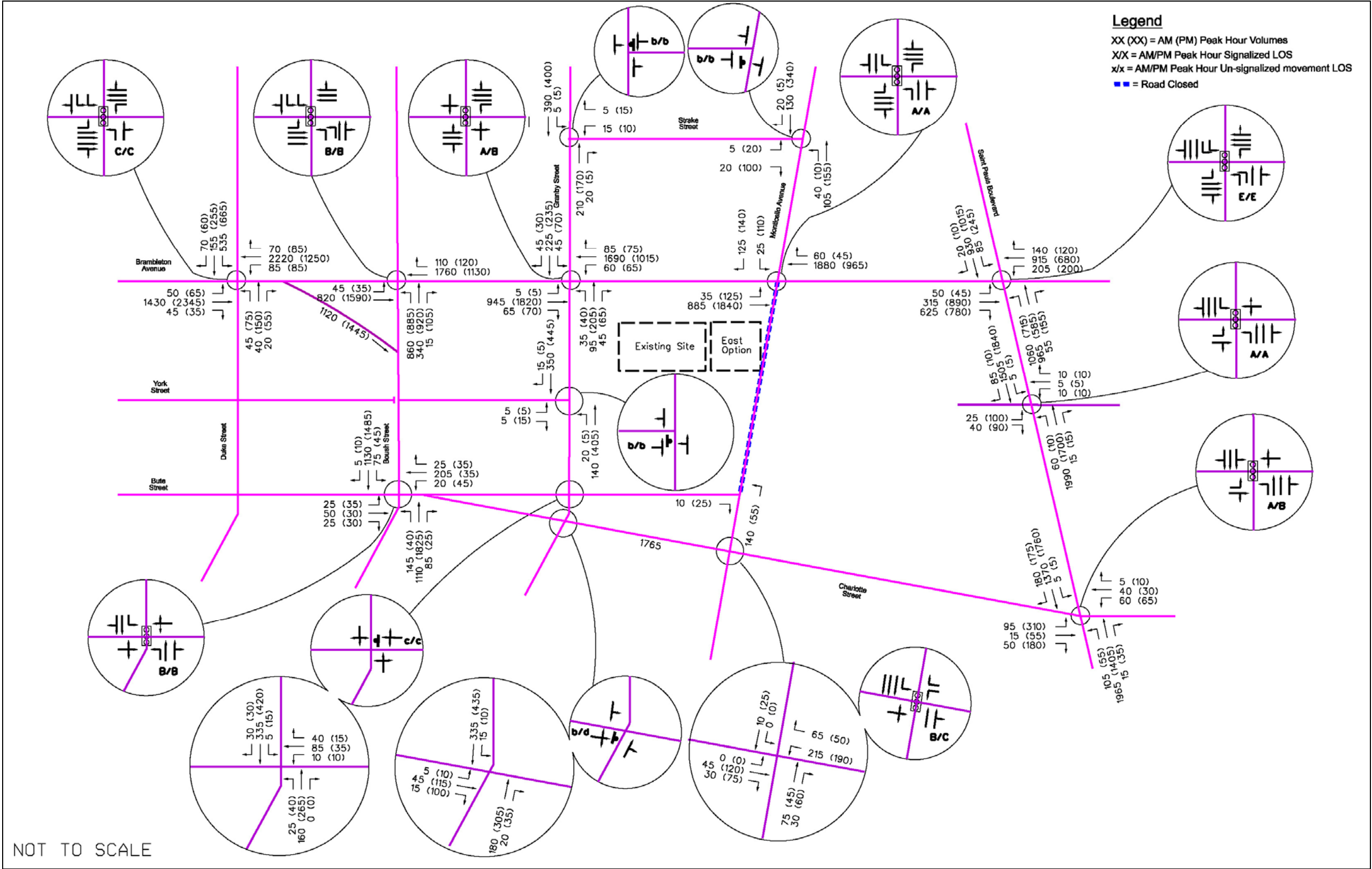


Figure 4-7: East Option Build Traffic Volumes, Lane Geometries, and LOS Results

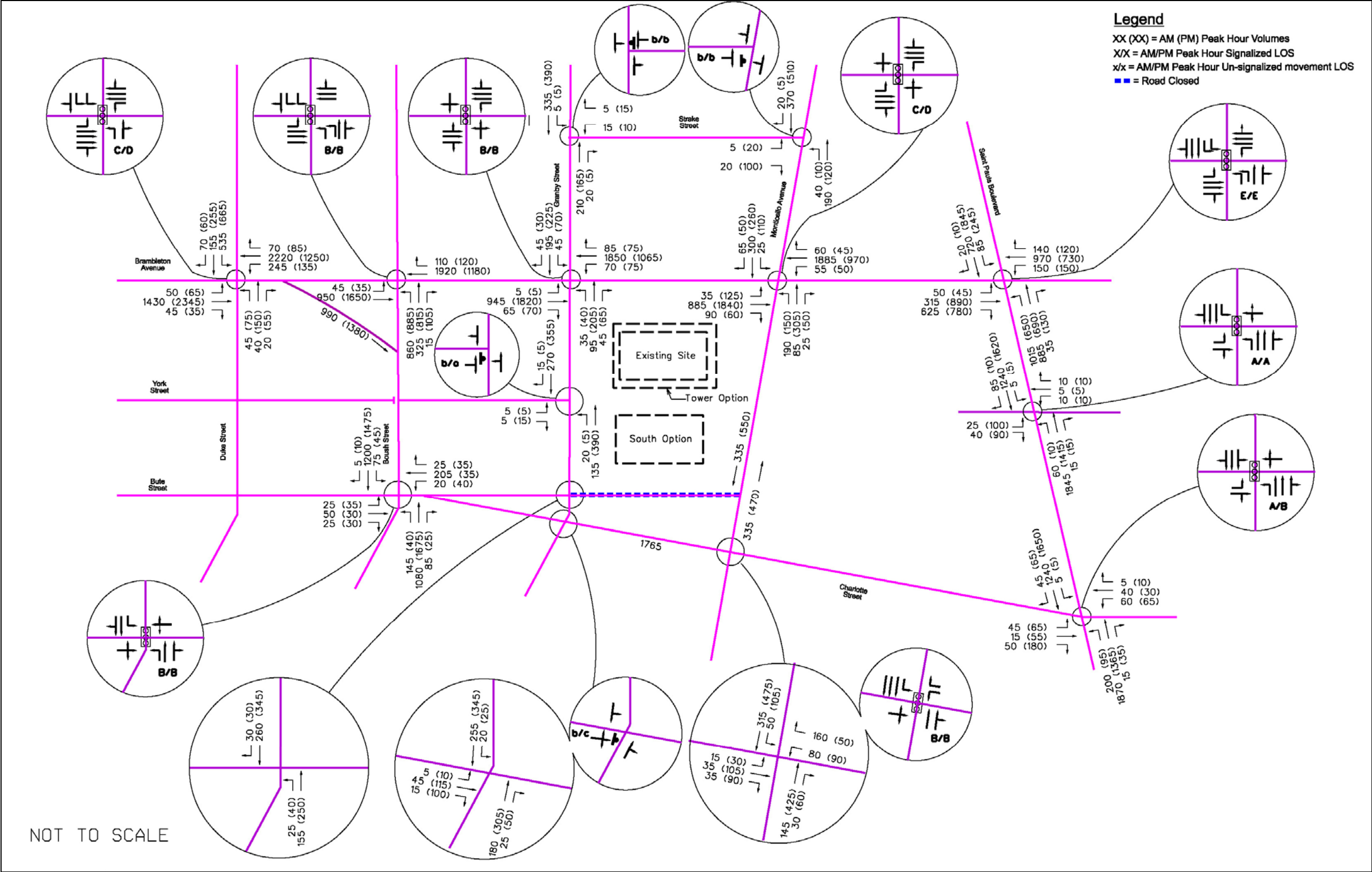


Figure 4-8: South and Tower Option Build Traffic Volumes, Lane Geometries, and LOS Results

Table 4-3. Action Alternative LOS Results – North Option (2012)

Intersection	No-Action		Action (North Option)	
	AM LOS (Delay)	PM LOS (Delay)	AM LOS (Delay)	PM LOS (Delay)
Brambleton Ave. and Monticello Ave.	A (9.7)	B (15.5)	A (9.7)	B (15.5)
Brambleton Ave. and Granby St.	A (7.9)	B (15.4)	A (8.4)	B (15.5)
Brambleton Ave. and Duke St.	C (26.7)	D (35.5)	C (27.3)	D (35.7)
Brambleton Ave. and St. Paul's Blvd.	E (56.7)	D (50.0)	E (58.8)	E (56.1)
Brambleton Ave. and Boush St.	B (14.2)	B (14.5)	B (14.3)	B (14.7)
Charlotte St. and Monticello Ave.	B (16.7)	B (13.3)	B (16.9)	B (13.8)
Charlotte St. and St. Paul's Blvd.	A (8.4)	B (11.6)	A (8.4)	B (12.5)
E. Bute St. and St. Paul's Blvd.	A (5.4)	A (2.9)	A (5.4)	A (5.2)
Boush St. and Bute St.	B (18.2)	B (10.8)	B (18.3)	B (13.7)
Charlotte St. and Granby St.	b (12.4)	c (20.4)	b (12.9)	c (20.4)
Bute St. and Granby St.	b (13.9)	b (15.5)	c (16.5)	c (15.8)
York St. and Granby St.	a (10.7)	a (9.9)	a (10.7)	a (9.9)
Bute St. and Monticello Ave.	b (11.6)	b (13.2)	b (11.6)	b (13.3)
Granby St. and Strake St.	b (12.1)	b (10.7)	b (12.1)	b (10.7)
Monticello Ave. and Strake St.	a (10.0)	b (10.9)	a (10.0)	b (10.9)

X – signalized intersection LOS; x – unsignalized movement LOS

As can be seen in Table 4-3, with the North Option, the study intersections are expected to operate at the same LOS as under the No-Build conditions. Thus, all the intersections are expected to operate at LOS D or better during the peak hours, with the exception of the Brambleton Avenue/St. Paul's Boulevard Intersection which is expected to operate at LOS E during the AM and PM peak hours.

Table 4-4 presents the LOS results for the West Option.

Table 4-4: Action Alternative LOS Results – West Option (2012)

Intersection	No-Action		Action (West Options)	
	AM LOS (Delay)	PM LOS (Delay)	AM LOS (Delay)	PM LOS (Delay)
Brambleton Ave. and Monticello Ave.	A (9.7)	B (15.5)	A (9.7)	B (15.5)
Brambleton Ave. and Granby St.	A (7.9)	B (15.4)	A (8.4)	B (15.5)
Brambleton Ave. and Duke St.	C (26.7)	D (35.5)	C (27.3)	D (35.7)
Brambleton Ave. and St. Paul's Blvd.	E (56.7)	D (50.0)	E (58.8)	E (56.1)
Brambleton Ave. and Boush St.	B (14.2)	B (14.5)	B (14.4)	B (14.7)
Charlotte St. and Monticello Ave.	B (16.7)	B (13.3)	B (16.9)	B (13.8)
Charlotte St. and St. Paul's Blvd.	A (8.4)	B (11.6)	A (8.4)	B (12.5)
E. Bute St. and St. Paul's Blvd.	A (5.4)	A (2.9)	A (5.4)	A (5.2)
Boush St. and Bute St.	B (18.2)	B (10.8)	B (19.8)	B (13.6)
Charlotte St. and Granby St.	b (12.4)	c (20.4)	b (12.9)	c (20.4)
Bute St. and Granby St.	b (13.9)	b (15.5)	c (18.3)	c (16.6)
York St. and Granby St.	a (10.7)	a (9.9)	N/A	N/A
Bute St. and Monticello Ave.	b (11.6)	b (13.2)	b (11.6)	b (13.3)
Granby St. and Strake St.	b (12.1)	b (10.7)	b (12.1)	b (10.7)
Monticello Ave. and Strake St.	a (10.0)	b (10.9)	a (10.0)	b (10.9)

X – signalized intersection LOS; x – unsignalized movement LOS

As shown in Table 4-4, with the West Alternative and the closure of York Street west of Granby Street, the study intersections are expected to operate at the same LOS as under the No-Action conditions. Thus, all the intersections are expected to operate at LOS D or better during the peak hours, with the exception of the Brambleton Avenue/St. Paul's Boulevard intersection, which is expected to operate at LOS E during the AM and PM peak hours.

Table 4-5 presents the LOS results for the East Alternative, followed by Table 4-6, which presents the LOS results for the South and Tower Alternative.

Table 4-5. Action Alternative LOS Results - East Option (2012)

Intersection	No-Action		Action (East Option)	
	AM LOS (Delay)	PM LOS (Delay)	AM LOS (Delay)	PM LOS (Delay)
Brambleton Ave. and Monticello Ave.	A (9.7)	B (15.5)	A (5.2)	A (9.3)
Brambleton Ave. and Granby St.	A (7.9)	B (15.4)	A (9.6)	B (17.1)
Brambleton Ave. and Duke St.	C (26.7)	D (35.5)	C (27.3)	D (35.7)
Brambleton Ave. and St. Paul's Blvd.	E (56.7)	D (50.0)	E (63.0)	E (74.7)
Brambleton Ave. and Boush St.	B (14.2)	B (14.5)	B (13.8)	B (14.8)
Charlotte St. and Monticello Ave.	B (16.7)	B (13.3)	B (18.5)	B (20.9)
Charlotte St. and St. Paul's Blvd.	A (8.4)	B (11.6)	A (7.6)	B (18.8)
E. Bute St. and St. Paul's Blvd.	A (5.4)	A (2.9)	A (5.2)	A (6.8)
Boush St. and Bute St.	B (18.2)	B (10.8)	B (18.8)	B (13.8)
Charlotte St. and Granby St.	b (12.4)	c (20.4)	b (14.0)	c (25.2)
Bute St. and Granby St.	b (13.9)	b (15.5)	b (15.2)	b (18.6)
York St. and Granby St.	a (10.7)	a (9.9)	a (11.6)	a (13.2)
Bute St. and Monticello Ave.	b (11.6)	b (13.2)	N/A	N/A
Granby St. and Strake St.	b (12.1)	b (10.7)	b (12.4)	b (10.8)
Monticello Ave. and Strake St.	a (10.0)	b (10.9)	a (9.5)	b (9.7)

X – signalized intersection LOS; x – unsignalized movement LOS

As shown in Table 4-5, with the East Alternative, which involves closing Monticello Avenue, the study intersections are expected to operate at the same LOS as under the No-Action conditions. Thus, all the intersections are expected to operate at LOS D or better during the peak hours, with the exception of the Brambleton Avenue/St. Paul's Boulevard intersection, which is expected to operate at LOS E during the AM and PM peak hours. However, it should be noted that under the East Alternative, the delays at the Brambleton Avenue/St. Paul's Boulevard intersection, during the PM peak, are expected to be significantly higher than under any other scenario.

Table 4-6. Action Alternative LOS Results - South and Tower Option (2012)

Intersection	No-Action		Action (South and Tower Options)	
	AM LOS (Delay)	PM LOS (Delay)	AM LOS (Delay)	PM LOS (Delay)
Brambleton Ave. and Monticello Ave.	A (9.7)	B (15.5)	C (21.2)	D (38.4)
Brambleton Ave. and Granby St.	A (7.9)	B (15.4)	B (10.4)	B (16.1)
Brambleton Ave. and Duke St.	C (26.7)	D (35.5)	C (29.9)	D (36.2)
Brambleton Ave. and St. Paul's Blvd.	E (56.7)	D (50.0)	E (58.5)	E (58.6)
Brambleton Ave. and Boush St.	B (14.2)	B (14.5)	B (14.6)	B (15.1)
Charlotte St. and Monticello Ave.	B (16.7)	B (13.3)	B (16.8)	B (17.5)
Charlotte St. and St. Paul's Blvd.	A (8.4)	B (11.6)	A (7.6)	B (11.3)
E. Bute St. and St. Paul's Blvd.	A (5.4)	A (2.9)	A (5.1)	A (7.5)
Boush St. and Bute St.	B (18.2)	B (10.8)	B (18.7)	B (12.0)
Charlotte St. and Granby St.	b (12.4)	c (20.4)	b (13.2)	c (21.3)
Bute St. and Granby St.	b (13.9)	b (15.5)	N/A	N/A
York St. and Granby St.	a (10.7)	a (9.9)	a (10.8)	a (9.9)
Bute St. and Monticello Ave.	b (11.6)	b (13.2)	N/A	N/A
Granby St. and Strake St.	b (12.1)	b (10.7)	b (12.1)	b (10.7)
Monticello Ave. and Strake St.	a (10.0)	b (10.9)	a (10.0)	b (10.9)

X – signalized intersection LOS; x – unsignalized movement LOS

With the South and Tower Alternatives, as shown in Table 4-6, all the intersections are expected to operate at LOS D or better with the exception of the Brambleton Avenue/St. Paul's Boulevard intersection, which is expected to operate at LOS E during both the AM and PM Peak.

Transit Facilities Analysis

A significant portion of the bus routes in Norfolk stop at the Monticello Avenue/Charlotte Street intersection. In fact, all the routes described with the exception of the NET bus route, have a stop at near this intersection, which is one block from the Norfolk Federal Courthouse and will be at most two blocks away from the any of the five options discussed. The free NET route also

runs along Granby Street, which borders the existing courthouse. The NET has a stop at the Granby Street/Monticello Road intersection. Thus, public transit to the Norfolk Courthouse is and will be easily available to those who would like to use it.

Parking Facilities Analysis

There is adequate capacity in the surrounding parking supply to absorb the parking demand increase by the Federal Courthouse expansion. There are 5 parking garages within a 2 block radius of the courthouse providing approximately 2,630 parking spaces. In these garages, the average occupancy rate for any 1-hour period between 7 AM to 11 AM is 78% or less. During the hours of 2 PM and 5 PM, the average occupancy for any 1-hour period is 64% or less.

The parking garage most likely to be impacted by the courthouse expansion is the Scope garage as it is closest to the courthouse. This garage has 578 parking spaces. During the AM Peak Period, the Scope garage has an occupancy rate of 25% or less and during the PM peak period it has an occupancy rate of 18% or less. Thus, overall, the additional demand placed by the courthouse expansion should be easily accommodated by the existing parking supply.

4.4.2.3 Mitigation Measures for Traffic

Mitigation Strategies to Improve Operational Conditions at Intersections:

As discussed above under the Build Alternatives analysis, all of the study area intersections are expected to operate at LOS D or better during both the AM and PM peak hours, with the exception of the Brambleton Avenue/St. Paul's Boulevard intersection. Under the No-Action conditions, this intersection is expected to operate at LOS E during the AM peak hour and D during the PM peak hour. However, under all the action alternatives, this intersection would operate at LOS E during both peak hours.

The Brambleton Avenue/St. Paul's Boulevard intersection would operate with the highest delays under the East option, which would close Monticello Avenue between Bute and Brambleton Streets. Not only would this option be disruptive to the traffic flow in this area and increase congestion at several intersections, it would also significantly increase delays at the Brambleton Avenue/St. Paul's Boulevard intersection.

In order to improve the operational conditions at the Brambleton Avenue/St. Paul's Boulevard, it is recommended that an exclusive eastbound right turn lane be added. Thus, the eastbound approach of Brambleton Avenue would have an exclusive left turn lane, three through lanes, and an exclusive eastbound to southbound right turn lane. Due to the Scope Center abutting eastbound Brambleton Avenue, the expansion would have to occur along the north side of Brambleton Avenue. With this improvement, the Brambleton Avenue/St. Paul's Boulevard intersection is expected to operate at LOS D during both peak hours under all the action alternatives.

4.4.3 WASTE MANAGEMENT

4.4.3.1 No-Action Alternative

Under the No-Action Alternative, the proposed action would not be undertaken. Consequently, there would be no impact to waste management.

4.4.3.2 Build Alternatives

Construction and operation of the facility would generate solid waste requiring collection and disposal. Solid wastes would be generated during the construction phase, although no precise estimate of the quantity of such wastes can be made at this time. During this phase, the disposal of these materials would be the responsibility of the construction contractor. Wastes generated during this phase would be disposed of only at sites designed for this purpose and would have little or no adverse effect on other waste collection and disposal services.

Past, present, and future development, along with the proposed Courthouse Annex, would generate general waste. This development would have a moderate, adverse, cumulative impact on waste management. However, the proposed Courthouse Annex would contribute negligibly to these cumulative impacts.

4.4.3.3 Mitigation Measures

Mitigative measures to ensure compliance with all applicable pollution prevention and recycling programs include such strategies as waste separation and recycling of glass, paper products, aluminum, and various packaging materials to reduce the amount of solid waste generated. Other possible mitigative measures include reusing office supplies, more precise inventorying and ordering of office supplies, electronic mail, and negotiating with suppliers to utilize more economical packaging. The use of on-site compactors would result in less frequent collection services and would minimize service vehicle traffic.

4.5 SUMMARY OF ANY SIGNIFICANT IMPACTS AND REQUIRED MITIGATION

The proposed action would result in less than significant adverse impacts to the selected site and surrounding areas. These include less than significant adverse impacts on: topographic, geologic and soil conditions, hydrological and biological resources, demographic characteristics, community services and facilities, land use, traffic and transportation movements to and from the any of the sites, utility services, meteorological conditions, air quality and noise. Beneficial impacts would include providing the Courts with a secure facility and much needed space. Beneficial impacts to the area's economy would also be realized by virtue of the proposed action's construction budget. Cumulative, secondary, and construction-related impacts and any other potentially adverse impacts would be controlled, mitigated or avoided to the maximum extent possible.

4.6 RELATIONSHIP BETWEEN SHORT-TERM USES OF MAN'S ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

Regulations for the preparation of environmental impact studies require that the relationship between short-term use of the environment and the maintenance of long-term productivity be addressed. In this instance, it should be noted that following initiation of the construction process, the selected site would be used as a construction site. Construction-related activities would include construction of a new structure, improvements to utility services and parking areas, etc.

The construction phase would generate economic productivity in terms of the construction jobs created, new payrolls, induced personal income, and the purchasing of materials, supplies, and services during the construction phase of the project.

Cumulative effects of construction and operation of the proposed facility would include stimulation of the local and regional economy. Cumulative impacts of the proposed action would also include its contribution to the overall efficiency of the operations of the courts within Virginia in general and the Eastern District of Virginia in particular.

4.7 IRREVERSIBLE OR IRRETRIEVABLE COMMITMENT OF RESOURCES

Regulations for the preparation of environmental studies also require that they address irreversible and irretrievable commitments of resources associated with the proposed action. In this instance construction and operation of the proposed facility would result in both direct and indirect commitments of resources. In some cases, the resources committed would be recovered in a relatively short time. In other cases, resources would be irreversibly or irretrievably committed by virtue of being consumed or by the apparent limitlessness of their commitment to a specific use. Irreversible and irretrievable commitments of resources can sometimes be compensated for by the creation of similar resources with substantially the same use or value, as in the case of wildlife or plant habitats, for example.

In this instance, much or all of the selected site would be required for the actual construction and operation of the facility. Resources consumed during the construction phase would be offset by the addition of badly needed courthouse space and the resulting societal benefits. Use of the developed portion of the land could be considered irretrievably committed. The proposed action would also require use of various construction materials, including cement, aggregate, steel, lumber, asphalt, and other building materials. Much of the material used during the construction phase may, however, be recycled at some future date. The proposed action would require the use of an amount of fossil fuel, electrical energy and other energy resources during the construction and operation of the proposed facility. These should also be considered irretrievably committed to the project.

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January 3, 2006

Robin Griffin
Greenhorne & O'Mara, Inc.
6110 Frost Place
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Re: Lease Construction of US Courthouse Annex

Dear Mr. Griffin:

The Virginia Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

Biotics documents the presence of natural heritage resources in the project area. However, due to the scope of the activity and the distance to the resources, we do not anticipate that this project will adversely impact these natural heritage resources.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

Additionally, our files do not indicate the presence of any State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

Any absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks additional natural heritage resources. New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

A fee of \$60.00 has been assessed for the service of providing this information. Please find enclosed an invoice for that amount. Please return one copy of the invoice along with your remittance made payable to the Treasurer of Virginia, Department of Conservation and Recreation, 203 Governor Street, Suite 414, Richmond, VA 23219, ATTN: Cashier. Payment is due within thirty days of the invoice date.

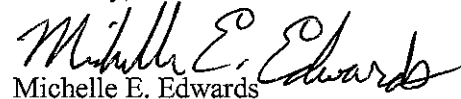
The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters, that may contain

*State Parks • Soil and Water Conservation • Natural Heritage • Outdoor Recreation Planning
Chesapeake Bay Local Assistance • Dam Safety and Floodplain Management • Land Conservation*

information not documented in this letter. Their database may be accessed from http://www.dgif.virginia.gov/wildlife/info_map/index.html , or contact Shirl Dressler at (804) 367-6913.

Should you have any questions or concerns, feel free to contact me at (804) 692-0984. Thank you for the opportunity to comment on this project.

Sincerely,

A handwritten signature in cursive script, reading "Michelle E. Edwards". The signature is written in dark ink and is positioned above the printed name.

Michelle E. Edwards

Locality Liaison



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
6669 Short Lane
Gloucester, VA 23061



Date: January 20, 2006

Project name: GSA - Courthouse Annex

Project number: SEL 7-9408 City/County, VA NORFOLK

The U.S. Fish and Wildlife Service (Service) has reviewed your request for information on federally listed or proposed endangered or threatened species and designated critical habitat for the above referenced project. The following comments are provided under provisions of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

✓ We have reviewed the information you have provided and believe that the proposed action will not adversely affect federally listed species or federally designated critical habitat because no federally listed species are known to occur in the project area. Should project plans change or if additional information on listed and proposed species becomes available, this determination may be reconsidered.

_____ We recommend that you contact **both** of the following State agencies for site specific information on listed species in Virginia. Each agency maintains a different database and has differing expertise and/or regulatory responsibility:

Virginia Dept. of Game & Inland Fisheries
Environmental Services Section
P.O. Box 11104
Richmond, VA 23230
(804) 367-1000

Virginia Dept. of Conservation and Recreation
Division of Natural Heritage
217 Governor Street, 2nd Floor
Richmond, VA 23219
(804) 786-7951


If either agency indicates a federally listed species **is present**, please resubmit your project description with letters from both agencies attached.

_____ If **appropriate habitat may be present**, we recommend surveys within appropriate habitat by a qualified surveyor. Enclosed are county lists with fact sheets that contain information the species' habitat requirements and lists of qualified surveyors. If this project involves a Federal agency (Federal permit, funding, or land), we encourage the Federal agency to contact this office if appropriate habitat is present and if they determine their proposed action may affect federally listed species or critical habitat.

_____ Determinations of the presence of waters of the United States, including wetlands, and the need for permits are made by the U.S. Army Corps of Engineers. They may be contacted at: Regulatory Branch, U.S. Army Corps of Engineers, Norfolk District, 803 Front Street, Norfolk, Virginia 23510, telephone (757) 441-7652.

Our website <http://virginiafieldoffice.fws.gov> contains many resources that may assist with project reviews. Point of contact is MIKE DRUMMOND at (804) 693-6694, ext. 114.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen L. Mayne". The signature is written in a cursive, slightly slanted style.

Karen L. Mayne
Supervisor
Virginia Field Office



GSA Mid-Atlantic Region

OCT 6 2005

Ms. Kristin H. Hill
Office of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Re: Walter E. Hoffman U.S. Courthouse Annex Project
Norfolk, Virginia

Dear Ms. Hill:

Thank you for taking the time to travel to Norfolk, Virginia to meet with us on September 21, 2005 to talk about the captioned project. This letter recaps our meeting and, pursuant to the provisions of 36 CFR Part 800, requests the Virginia Department of Historic Resources' participation in the Section 106 Review process for the Hoffman Courthouse Annex project.

The General Services Administration (GSA) is exploring ways to accommodate the expansion requirements of the U. S. District Court for the Eastern District of Virginia, and Court-related agencies such as the U.S. Marshal's Service, through the acquisition of a site and the design and construction of a Courthouse Annex. The Courts are currently housed in the Walter E. Hoffman U.S. Courthouse (Hoffman-CT) located at 600 Granby Street in downtown Norfolk, Virginia. The Hoffman-CT was constructed between 1932 and 1934 and was individually listed on the National Register of Historic Places in 1984. The Hoffman-CT is the only prominent public building of the Art Deco style in the Virginia Tidewater area. The four-story, steel framed building is situated on an irregularly shaped site, covering a two-city block area. The exterior facades of the building are faced in gray limestone, above a polished black granite base at the basement.

The Hoffman-CT is unable to physically accommodate the current and future space needs of the Courts. Several of the existing District Courtrooms do not meet the U. S. Courts Design Guide criteria; and in addition to the existing space deficiencies, the Courthouse lacks a sally port, prisoner elevators, secure holding cells, and necessary private and secure circulation corridors. GSA estimates that approximately 195,000 additional gross square feet of space is needed to satisfy the housing requirements of the Court and Court-related agencies currently located in Norfolk.

As explained during our meeting, GSA has been evaluating various ways to accommodate the projected expansion requirements via the construction of an Annex to the Hoffman-CT for the last several years. In addition, meetings have been held with local government officials seeking input on potential locations for the Annex. Since GSA and the U.S. Courts want to continue to maintain the Hoffman-CT as a functioning Courthouse, the only plausible solution to accommodating the expansion requirement is to build an Annex on an adjacent site. The block to the east of the Hoffman-CT is occupied by the Norfolk Scope Arena. GSA has studied the sites to the south and west, and more recently to the north, of the building.

An Annex on the site south of the Hoffman-CT would allow us to create a unified Courthouse complex. That is, the Hoffman-CT and the Annex could be connected at the basement and at all upper floor levels, and at the same time several significant deficiencies in the Courthouse circulation patterns could be solved. This is the only site which would allow this degree of connection between the existing Courthouse and the Annex. The site is home to a former furniture store, now converted into condominiums, constructed in 1914 and significantly modified in the late 1930's.

An Annex on the site west of the Hoffman-CT, immediately across Granby Street, would result in two separate buildings, with an underground connection or bridge over Granby Street connecting them. This would provide the opportunity to create an architecturally unified complex with a public plaza in front of the new building across from the entrance to the Hoffman-CT, but would require duplicate entrance lobbies and security stations, and would split Court operations. A 32-story condominium tower is currently in development for this site.

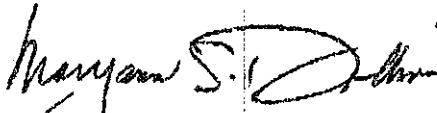
The site to the north of the Hoffman-CT, across Brambleton Avenue, is the current home of a Greyhound bus station. Using this site would result in an Annex that at best may be connected to the Hoffman-CT via an underground connection, although the feasibility of such a connection is very much in question because Brambleton Avenue is a six lane roadway with a turning lane. We believe that creating an architecturally unified Courthouse complex across such a major vehicular thoroughfare would be impossible. Moreover, about half of this site is in a 500 year flood plain.

An Annex on any of the three sites will result in a project that has the potential to affect properties and sites listed in or eligible for the National Register of Historic Places. Specifically, an Annex would have the potential to affect the Walter E. Hoffman U.S. Courthouse and the Downtown Norfolk Historic District. Accordingly, GSA plans to hold a public meeting within the next few weeks to allow the citizens of Norfolk and interested parties a forum to express questions, concerns, and ideas about the proposed Annex.

We will continue to work with your office to reach agreement on the area of potential effect (APE), and to assess the potential for impacts to historic resources. As we continue to evaluate the three sites we will provide you with other detailed

information as it becomes available, and updates on the status of the project. We look forward to working with you on this project and want you to know that we welcome your thoughts and recommendations. Please let us know of any concerns you may have at this stage of the project. I can be reached by phone at (215) 446-4649 or by email at Maryann.Dobbins@gsa.gov.

Sincerely,



Maryann S. Dobbins
GSA Regional Historic Preservation Officer

cc: Héctor M Abreu Cintrón
GSA Liaison
Advisory Council on Historic Preservation
1100 Pennsylvania Ave., NW
Washington, DC 20004

Mr. Stanley Stein
Assistant City Manager
City of Norfolk
1101 City Hall Building
810 Union Street
Norfolk, VA 23510



COMMONWEALTH of VIRGINIA

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

Department of Historic Resources
2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick
Director

November 4, 2005

Tel: (804) 367-2325
Fax: (804) 367-2391
TDD: (804) 367-2386
www.dhr.virginia.gov

Ms. Maryann Dobbins
Regional Historic Preservation Officer
U.S. General Services Administration
The Strawbridge's Building
20 North Eighth Street
Philadelphia, PA 19107-3191

Re: Walter E. Hoffman U.S. Courthouse Annex Project
Norfolk, Virginia
DHR file no. 2001-1543

Dear Ms. Dobbins:

Thank you for your letter of October 6 reopening consultation between our offices for the above referenced project pursuant to Section 106 of the National Historic Preservation Act. It was a pleasure to meet with you and the other GSA staff on September 21 in Norfolk and I greatly enjoyed my tour of the Hoffman Courthouse. I understand that GSA is exploring the possibilities for constructing an annex to the Hoffman Courthouse. Because of the strong desire on the part of GSA, the resident judges, and, hopefully, the City of Norfolk to maintain court function at the historic courthouse, an attached annex is the preferred alternative.

The possible sites for constructing an attached annex are obviously limited to the four sides of the existing building. They are further limited practically by the traffic patterns and buildings currently surrounding the Courthouse. We concur with your assessment that the construction of an attached annex on any of the possible sites would have an effect on historic properties. The Walter E. Hoffman Courthouse is individually listed in the National Register of Historic Places and the surrounding properties are located in the Downtown Norfolk Historic District. The Showplace Building, located south of the Courthouse is considered a contributing building in the District, as are several of the structures located to the west of the Courthouse. The construction of an annex on either of these sites would probably result in an adverse effect. The Greyhound bus station, located north of the Courthouse across Brambleton Avenue, is not located within the District but it has not been evaluated for eligibility either individually or as part of a separate historic district. Should the north site become the preferred alternative, we would suggest that GSA consider the eligibility of this structure.

Administrative Services
10 Courthouse Avenue
Petersburg, VA 23803
Tel: (804) 863-1624
Fax: (804) 862-6196

Capital Region Office
2801 Kensington Ave.
Richmond, VA 23221
Tel: (804) 367-2323
Fax: (804) 367-2391

Tidewater Region Office
14415 Old Courthouse Way, 2nd Floor
Newport News, VA 23608
Tel: (757) 886-2807
Fax: (757) 886-2808


Roanoke Region Office
1030 Penmar Ave., SE
Roanoke, VA 24013
Tel: (540) 857-7585
Fax: (540) 857-7588

Winchester Region Office
107 N. Kent Street, Suite 203
Winchester, VA 22601
Tel: (540) 722-3427
Fax: (540) 722-7535

We appreciate GSA's efforts to fully consider the effects to historic properties and the due diligence your agency is exercising with regard to the Section 106 process. I understand that because a possible adverse effect has been identified, GSA has decided to hold a public meeting to present all of the alternatives under consideration and provide a forum for public comment on the project. I plan to attend the public meeting about this project in Norfolk on November 14 and I look forward to hearing your presentation of alternatives considered and the comments of the public. The Department of Historic Resources is in full agreement with GSA about the significance of the Hoffman Courthouse and the importance of retaining full court functions in this historic building. This is an extremely significant building in downtown Norfolk and we are pleased that constructing a new courthouse complex elsewhere is not an option currently under consideration.

I look forward to seeing you in Norfolk on November 14 and to working with you on this important project. If you have any questions in the meantime, I can be reached at (804) 367-2323 ext. 111.

Sincerely,



Kristin Hill, Architectural Historian
Office of Review and Compliance

Cc: Hector M Abreu Cintron
GSA Liaison
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue, NW
Washington, DC 20004

Mr. Stanley Stein
Assistant City Manager
City of Norfolk
1101 City Hall Building
810 Union Street
Norfolk, VA 23510



GSA Mid-Atlantic Region

OCT 25 2005

Mr. Mark Perreault, President
Norfolk Preservation Alliance
P.O. Box 3338
Norfolk, Virginia 23517

Dear Mr. Perreault:

The General Services Administration (GSA) would like to invite you to attend a meeting concerning a proposed annex to the Walter E. Hoffman U.S. Courthouse in Norfolk, Virginia.

GSA is exploring ways to accommodate the expansion requirements of the U. S. District Court for the Eastern District of Virginia, and court-related agencies such as the U.S. Marshall's Service, through the acquisition of a site and the design and construction of a U.S. Courthouse Annex in Norfolk.

The Courts are currently housed in the historically significant Walter E. Hoffman U.S. Courthouse, 600 Granby Street, Norfolk. Although the Hoffman Courthouse provides functional space for the U.S. District Court, it does not provide an adequate amount of space to meet the Court's existing and projected needs. Based on court projections, GSA estimates that an additional 195,000 gross square feet of space is needed to satisfy the space requirements of the Norfolk Court and court-related agencies. To maintain the Hoffman Courthouse while meeting the Court's space requirements, GSA proposes to build an Annex on an adjacent site.

GSA representatives have sought input from local government officials on potential locations for the Annex. GSA has studied sites to the south, west, and more recently to the north of the Hoffman Courthouse.

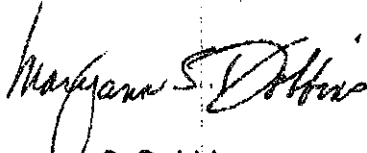
Since the Hoffman Courthouse is listed in the National Register of Historic Places (NRHP), and is located within the Downtown Norfolk Historic District, construction of an Annex on any of the three sites under consideration has the potential to affect historic resources listed on or eligible for the NRHP. Accordingly, GSA has initiated consultation with the Virginia Department of Historic Resources.

GSA will conduct a meeting on Monday, November 14, 2005, from 11 o'clock a.m. to 1 o'clock p.m. in Courtroom No. 4 of the Walter E. Hoffman U.S. Courthouse to provide information and seek public comment and input on the proposed Annex and its potential effects on historic properties. This will be an informal meeting, where visitors may come, receive information, and give both written and oral comments.

U.S. General Services Administration
The Strawbridge's Building
20 North Eighth Street
Philadelphia, PA 19107-3191
www.gsa.gov

I hope that you are able to attend the upcoming meeting. GSA looks forward to hearing your comments. Should you have any questions regarding the meeting please feel free to contact me at (215) 446-4649 or John Morrell, the Project Manager at (215) 446-4614.

Sincerely,



Maryann S. Dobbins
Regional Historic Preservation Officer

cc: Kristin H. Hill
Office of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Héctor M. Abreu Cintrón
GSA Liaison
Advisory Council on Historic Preservation
1100 Pennsylvania Ave., NW
Washington, DC 20004



GSA Mid-Atlantic Region

OCT 25 2005

Mr. Stanley Stein
Assistant City Manager
City of Norfolk
1101 City Hall Building
810 Union Street
Norfolk, VA 23510

Dear Mr. Stein:

The General Services Administration (GSA) would like to invite you to attend a meeting concerning a proposed annex to the Walter E. Hoffman U.S. Courthouse in Norfolk, Virginia.

GSA is exploring ways to accommodate the expansion requirements of the U. S. District Court for the Eastern District of Virginia, and court-related agencies such as the U.S. Marshall's Service, through the acquisition of a site and the design and construction of a U.S. Courthouse Annex in Norfolk.

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GSA representatives have sought input from local government officials on potential locations for the Annex. GSA has studied sites to the south, west, and more recently to the north of the Hoffman Courthouse.

Since the Hoffman Courthouse is listed in the National Register of Historic Places (NRHP), and is located within the Downtown Norfolk Historic District, construction of an Annex on any of the three sites under consideration has the potential to affect historic resources listed on or eligible for the NRHP. Accordingly, GSA has initiated consultation with the Virginia Department of Historic Resources.

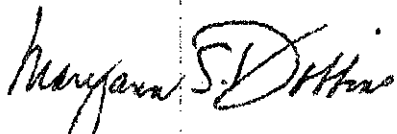
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U.S. General Services Administration
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20 North Eighth Street
Philadelphia, PA 19107-3191
www.gsa.gov

its potential effects on historic properties. This will be an informal meeting, where visitors may come, receive information, and give both written and oral comments.

I hope that you are able to attend the upcoming meeting. GSA looks forward to hearing your comments. Should you have any questions regarding the meeting please feel free to contact me at (215) 446-4649 or John Morrell, the Project Manager at (215) 446-4614.

Sincerely,



Maryann S. Dobbins
Regional Historic Preservation Officer

cc: Kristin H. Hill
Office of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Héctor M. Abreu Cintrón
GSA Liaison
Advisory Council on Historic Preservation
1100 Pennsylvania Ave., NW
Washington, DC 20004



GSA Mid-Atlantic Region

OCT 25 2005

Ms. Cathy Coleman, President
Downtown Norfolk Council
201 Granby Street, Suite 101
Norfolk, Virginia 23510-1818

Dear Ms. Coleman:

The General Services Administration (GSA) would like to invite you to attend a meeting concerning a proposed annex to the Walter E. Hoffman U.S. Courthouse in Norfolk, Virginia.

GSA is exploring ways to accommodate the expansion requirements of the U. S. District Court for the Eastern District of Virginia, and court-related agencies such as the U.S. Marshall's Service, through the acquisition of a site and the design and construction of a U.S. Courthouse Annex in Norfolk.

The Courts are currently housed in the historically significant Walter E. Hoffman U.S. Courthouse, 600 Granby Street, Norfolk. Although the Hoffman Courthouse provides functional space for the U.S. District Court, it does not provide an adequate amount of space to meet the Court's existing and projected needs. Based on court projections, GSA estimates that an additional 195,000 gross square feet of space is needed to satisfy the space requirements of the Norfolk Court and court-related agencies. To maintain the Hoffman Courthouse while meeting the Court's space requirements, GSA proposes to build an Annex on an adjacent site.

GSA representatives have sought input from local government officials on potential locations for the Annex. GSA has studied sites to the south, west, and more recently to the north of the Hoffman Courthouse.

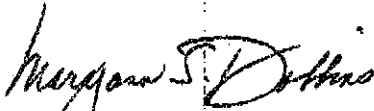
Since the Hoffman Courthouse is listed in the National Register of Historic Places (NRHP), and is located within the Downtown Norfolk Historic District, construction of an Annex on any of the three sites under consideration has the potential to affect historic resources listed on or eligible for the NRHP. Accordingly, GSA has initiated consultation with the Virginia Department of Historic Resources.

GSA will conduct a meeting on Monday, November 14, 2005, from 11 o'clock a.m. to 1 o'clock p.m. in Courtroom No. 4 of the Walter E. Hoffman U.S. Courthouse to provide information and seek public comment and input on the proposed Annex and its potential effects on historic properties. This will be an informal meeting, where visitors may come, receive information, and give both written and oral comments.

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I hope that you are able to attend the upcoming meeting. GSA looks forward to hearing your comments. Should you have any questions regarding the meeting please feel free to contact me at (215) 446-4649 or John Morrell, the Project Manager at (215) 446-4614.

Sincerely,



Maryann S. Dobbins
Regional Historic Preservation Officer

cc: Kristin H. Hill
Office of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Héctor M. Abreu Cintrón
GSA Liaison
Advisory Council on Historic Preservation
1100 Pennsylvania Ave., NW
Washington, DC 20004

PUBLIC MEETING NOTICE

To accommodate the expansion requirements of the U.S. District Court for the Eastern District of Virginia, and court-related agencies such as the U.S. Marshal's Service, the General Services Administration is exploring site acquisition, design and construction of a Courthouse Annex to the Walter E. Hoffman U.S. Courthouse, 600 Granby Street, Norfolk, Virginia.

Based on court projections, GSA estimates that an additional 195,000 gross square feet of space is needed to satisfy the space requirements of the Norfolk Court and court-related agencies.

GSA representatives have explored ways to accommodate the space requirements via construction of an annex to the Hoffman Courthouse. Although the Hoffman Courthouse provides functional space for the U.S. District Court, it does not provide an adequate amount of space to meet the Court's existing and projected needs. To maintain the Hoffman Courthouse while meeting the Court's space requirements, GSA proposes to build an Annex on an adjacent site.

GSA representatives have participated in meetings with local government officials to obtain input on potential locations for the annex. GSA has studied sites to the south, west and north of the Hoffman Courthouse.

Since the Hoffman Courthouse is listed on the National Register of Historic Places (NRHP) and is located within the Downtown Norfolk Historic District, construction of an annex on any of the three sites under consideration has the potential to affect historic resources listed on or eligible for the NRHP. Accordingly, GSA has initiated consultation with the Virginia State Historic Preservation Office.

Public notice is hereby given that GSA will conduct a meeting on Monday, November 14, 2005, from 11 o'clock a.m. to 1 o'clock p.m., in Courtroom No. 4 of the Walter E. Hoffman U.S. Courthouse, 600 Granby Street, Norfolk, Virginia to provide information and seek public comment and input on the proposed Annex and its potential effects on historic properties.

For further information, please contact:

John Morrell
Project Manager
General Services Administration
20 N. 8th Street
Philadelphia, PA 19107

Appendix B
Summary of Comments

Summary of Comments

Name	Affiliation	Date & Form of Comment	Comments
Margaret Swartley	Interested Citizen	November 15, 2005 e-mail	Opposes the Southern Annex Alternative. Supports the Northern Annex Alternative and going to the East. Suggests moving the Norfolk Scope Arena and building a new sports complex near Harbor Park.
Aimee Davenport	Interested Citizen	November 15, 2005 e-mail	Opposes the Southern Annex Alternative.
Erica Tolbert	Interested Citizen	November 15, 2005 e-mail	Opposes the Southern Annex Alternative. Supports the Western Annex Alternative.
Nancy Parker	Interested Citizen	November 15, 2005 e-mail	Opposes the Southern Annex Alternative.
Susan Pierce	Interested Citizen	November 15, 2005 e-mail	Opposes the Southern Annex Alternative. Supports starting over completely or adding floors the the existing courthouse.
William Speidel	Interested Citizen	November 15, 2005 e-mail	Supports the Southern Annex Alternative.
Frances M. Bolch	Interested Citizen	November 16, 2005 e-mail	Believes GSA has made up their mind. Believes GSA should give more consideration for what is really the right thing to do.
John Michael Dukes	Interested Citizen	November 20, 2005 e-mail	Does not support Southern Annex Alternative or the Western Annex Alternative. Supports the Northern Annex Site.
Robert Mandle	Interested Citizen	January 1, 2006 e-mail	Believes the argument for not building in the 500-year floodplain is flawed. Believes the security issues associated with the Northern Annex Alternative could be avoided through clever design. Supports the Northern Annex Alternative.
Betty from Virginia Beach	Interested Citizen	January 12, 2006 e-mail	Does not support the Northern Annex Alternative. Would like to see a new complex built in Virginia

Name	Affiliation	Date & Form of Comment	Comments
			Beach or Chesapeake.
Judith Gilbert	Interested Citizen	January 12, 2006 e-mail	Supports starting over and building a new facility at the existing site.
Harold Hagans	Interested Citizen	January 12, 2006 e-mail	Supports selling the old building and use the proceeds to build a new courthouse building on a new site.
Kimble A. David	Interested Citizen	January 11, 2006 & January 12, 2006 e-mail	Believes the Greyhound Bus Station and the Norfolk Scope Arena /Chrysler Hall complex could be eligible for the National Register. Also believes archaeological impacts are possible. The public housing project east-northeast of the property could also be considered eligible for the National Register.
Mikeas	Interested Citizen	January 13, 2006 e-mail	Supports the Northern Annex Alternative.
J. Britt	Interested Citizen	January 14, 2006 e-mail	Would like to know the reasoning a tower alternative was not considered.
Peter Decker	Interested Citizen	January 16, 2006 e-mail	Supports going straight up on the existing courthouse. If additional property is needed expansion could go north, east, or south.
Heidi Gillis	Interested Citizen	January 17, 2006 e-mail	Opposed to Southern Annex Alternative and Eastern Annex Alternative. Believes that closing portions of Monticello would severely impact traffic. Supports the Northern Annex Alternative.
Anonymous	Concerned Citizen and Taxpayer	January 20, 2006 Letter	Opposed to Southern Annex Alternative. Believes that a cross walk over Brambleton would be a good option. Believes that there is sufficient space in the existing courthouse.
Norm Weakland	Owner of Condominium	January 24, 2006 e-mail	Would like information on the timeline of the project. Specifically

Name	Affiliation	Date & Form of Comment	Comments
	at the Lofts at 500 Granby		when ownership would be taken if the Southern Annex Site is selected. Would also like to know when the South option was first discussed.
Steven Martin	Interested Citizen	January 28, 2006 e-mail	Opposed to relocating the courthouse. Opposed to the Southern Annex Alternative. Supports Eastern and Northern Annex Alternatives.
Norm Weakland	Owner of Condominium at the Lofts at 500 Granby	January 31, 2006 e-mail	Would like to see a Tower Alternative analyzed. Believes work arounds should have been discussed or examined for the Northern Annex Alternative. Believes the East site would not incur an increase traffic burden in the area and that the lack of a traffic analysis gives the impression that this option is not amenable to the clients. Believes the Southern Annex Alternative would bypass the Historic Preservation Act and would utilize eminent domain to remove people from their homes. Believes the Western Annex Alternative is the best option. In order of precedence the sites should be West, East, North, and then South.
Jeffrey Cyr	Owner of Condominium at the Lofts at 500 Granby	January 31, 2006 e-mail	Opposed to the Southern Annex Alternative. Supports the Western Annex Alternative.
Blount Hunter	Interested Citizen	February 1, 2006 Letter	Supports further consideration of the Northern Annex Alternative and a vertical expansion atop the existing building. Opposes the Southern Annex Alternative.
Susanne Williams	Norfolk Preservation Alliance	January 10, 2006 Public Scoping Meeting	Opposed to Southern Annex Alternative. Supports the Northern Annex Alternative. Would like to see more hybrid solutions examined (i.e. filling in the courtyard and

Name	Affiliation	Date & Form of Comment	Comments
			developing smaller portions of the other sites).
Ben Bines	Interested Citizen	January 10, 2006 Public Scoping Meeting	Opposes the Southern Annex Alternative.
Baxter Simmons, SR	Interested Citizen	January 10, 2006 Public Scoping Meeting	Opposes the Southern Annex Alternative. Displacing Baxter's Sport's Lounge will result in a loss of \$6 to \$7 million in tax revenue for the city. Would like to see a cost analysis. Believes the Northern Annex Alternative should be implemented and not the Southern Annex Alternative. Supports the Eastern Annex Alternative.
Blount Hunter	Interested Citizen	January 10, 2006 Public Scoping Meeting	Believes that developing the courthouse annex on land that is not privately owned would be beneficial to the city. Would like to see a tower alternative considered. Believes all options are worthy of equal attention. The Southern Annex Alternative should not be the preferred alternative at this time.
Chris Malendoski	Listing Broker for the Lofts at 500 Granby	January 10, 2006 Public Scoping Meeting	Opposes the Southern Annex Alternative. Would like to see a vertical and lateral addition considered. Also supports the Eastern Annex Alternative.
Karen Perreault	Interested Citizen	January 10, 2006 Public Scoping Meeting	Opposes the Southern Annex Alternative. Would like to see a vertical alternative considered. Also, supports consideration of an Eastern Alternative.
Baxter Simmon's Jr.	Owner of Baxter's Sports Lounge	January 10, 2006 Public Scoping Meeting	Opposes the Southern Annex Alternative. Supports the Northern Annex Alternative. Would like to see a cost analysis for all the alternatives.
Henry Shriver	Interested	January 10, 2006	Feels the courthouse should remain

Name	Affiliation	Date & Form of Comment	Comments
	Citizen	Public Scoping Meeting	in the city. Would like to see a vertical option analyzed. Would like the cost of the different options to be carefully considered.
Greg Bolch	Resident of the Lofts at 500 Granby	January 10, 2006 Public Scoping Meeting	Appreciates the Eastern Annex Alternative being considered and would like to see a vertical option analyzed. Believes there is a precedent for having courthouses divided when they have to be.
Rob Mandle	Interested Citizen	January 10, 2006 Public Scoping Meeting	Supports the Northern Annex Alternative. States that the Executive Order does not refer to the 500-year floodplain. Interested in the Eastern Annex Alternative.
Alice Allen-Grimes	Norfolk Resident and member of the Norfolk Preservation Alliance	January 10, 2006 Public Scoping Meeting	Supports the expansion of the courthouse. Would like to see a vertical/interior alternative considered. Would like to see all options evaluated. Would like a Citizen Advisory Committee to be formed as the study continues.

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PUBLIC HEARING
WALTER E. HOFFMAN U.S. COURTHOUSE
PROPOSED COURTHOUSE ANNEX

Norfolk, Virginia
January 10, 2006

- Appearances:
- Joan Glynn, Moderator
 - John Morrell
 - Rob Hewell
 - Betsy Paret

TAYLOE ASSOCIATES, INC.
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Telephone: (757) 461-1984
Norfolk, Virginia

1 MS. GLYNN: Again, good evening and
2 welcome to tonight's meeting on the Walter E. Hoffman
3 Courthouse Proposed Annex. My name is Joan Glynn and
4 I am a consultant with the General Services
5 Administration who is administering this project.
6 Some of you may have attended the last public meeting
7 that was held on this project on November 14th, 2005,
8 and much of the information that we're going to be
9 presenting tonight is the same as information that was
10 presented that night; however, GSA is holding
11 tonight's meeting to meet its obligations under the
12 National Environmental Policy Act.

13 The following presentation will explain
14 the courthouse annex project, the purpose and need for
15 the project, the sites under consideration and the
16 Environmental Assessment process that GSA will be
17 undertaking. The presentation will also address GSA's
18 compliance with the National Historic Preservation Act
19 as a Federal steward of important historic resources.

20 Following the presentation we will be
21 accepting your comments and your questions on the
22 environmental studies and answering any questions you
23 may have. If you have not already done so, we have at
24 the sign-in table a sheet to sign up to speak. If at
25 any time during the meeting you decide you would like

1 to speak, please feel free to go back and add your
2 name to the list. When we do have the questions and
3 answers at the end, we are asking everyone to limit
4 their questions to three minutes so we may give
5 everyone an opportunity to speak.

6 You also notice that we have a
7 stenographer here tonight. That is so we have an
8 accurate, complete record of the meeting and of
9 everyone's comments so they can be taken into
10 consideration as we prepare the Environmental
11 Assessment.

12 The existing Walter E. Hoffman United
13 States Courthouse is located at 600 Granby Street, was
14 constructed between 1932 and 1934 to house the U.S.
15 Post Office, the U.S. District Court and all Federal
16 agencies in Norfolk. In 1984 the building was listed
17 on the National Register of Historic Places. It
18 contains a gross building area of 203,443 square feet
19 and 126,196 usable square feet of floor space. The
20 building currently houses the U.S. District Court, the
21 U.S. Bankruptcy Court and the court-related offices.

22 The purpose of this proposed action is to
23 create a unified courthouse facility that will
24 accommodate the 30-year space requirements of the
25 court and court-related agencies. This is to maintain

1 the court presence in Norfolk, also to adapt and reuse
2 the existing Hoffman Courthouse building and to create
3 a unified court complex that optimizes security,
4 circulation and operations.

5 The court's security requirements have
6 changed dramatically since this project was first
7 envisioned and first begun. The existing Hoffman
8 Courthouse does not provide adequate security for the
9 courts. The courthouse represents an adaptation of a
10 building which was designed in a different era to the
11 security concerns of today's courthouses. At the time
12 of its completion in 1934 there was little provision
13 for the separation of circulation between public,
14 private and secure uses other than in the area of the
15 building originally designed for use by the U.S. Post
16 Office. The original mixed use of the building with
17 the post office on the ground floor and the courts and
18 the Federal agencies above was the defining criterion
19 for the circulation system.

20 The most pressing need today is for a
21 secure corridor system for prisoner movements. At
22 present the public, jurors, trial participants and
23 judicial officers share the same elevators and
24 hallways. The U.S. Marshals Service must unload
25 prisoners in the north parking lot which is used for

1 judges parking and walking directly into the Marshals
2 Service space.

3 Several alternatives have been analyzed
4 and dismissed from further study for this project.
5 The first of these, the adaptive reuse of existing
6 commercial space was proven costly and inefficient.
7 When evaluating existing structures in Norfolk that
8 would be suitable for use, several important physical
9 issues would have to be kept in mind. The
10 architecture of the Federal Courthouse must promote
11 respect for the tradition and purpose of the American
12 judicial process.

13 More importantly, the specific design and
14 operating requirements for court and related agency
15 functions with particular regard to security are not
16 easily met through leased space. To accommodate
17 movement within a courthouse, three separate
18 circulation zones must be provided, public, restricted
19 and secure. Public circulation requires a single
20 controlled entry but allows free movement within the
21 building. Restricted circulation requires a single
22 controlled interior entry and is limited to judges,
23 court personnel and official visitors. Secure
24 circulation is intended for prisoners and is
25 controlled by the U.S. Marshals Service. Therefore,

1 this alternative was dismissed because of its cost,
2 inefficiency and related security issues.

3 The direct Federal construction was
4 evaluated by GSA and we evaluated the construction of
5 a new standalone courthouse to replace the existing
6 Hoffman Courthouse. The existing courthouse is
7 considered to be in good condition both structurally
8 and mechanically. In the past 25 years substantial
9 improvements have been made to the building in the
10 form of major renovations and modifications.

11 An analysis by GSA indicates that the
12 cost of constructing a new standalone courthouse is
13 consistently higher than the cost of constructing an
14 annex and renovating the existing courthouse. Given
15 the significance of the investment of the existing
16 courthouse as well as the strong desire of the courts
17 to use the existing building, coupled with the fact
18 that the construction of a standalone facility is more
19 expensive, the new construction alternative was
20 dismissed.

21 Another option that was considered was
22 lease construction and under this alternative a new
23 courthouse would be built to GSA standards by a
24 developer and then leased back to the government. A
25 cost analysis by GSA has also indicated that the cost

1 of this alternative is significantly higher when
2 compared to cost for constructing an annex and
3 renovating the existing courthouse. As a result this
4 was also dismissed.

5 GSA is currently evaluating four sites
6 for the courthouse annex, the North Site, South Site,
7 East Site and West Site. I'm going to describe each
8 of these sites. One thing we would like you to keep
9 in mind is the East Site and the South Site are the
10 only two sites under which a courthouse annex could be
11 built directly adjacent to the existing courthouse.
12 You'll see that as we go through this.

13 The South Site is bounded by Bute Street
14 to the north, Granby Street to the west, Monticello
15 Avenue to the east, and Charlotte Street to the south.
16 Use of the southern site would entail closing Bute
17 Street between Granby and Monticello to allow the
18 construction of an attached annex as well as the
19 construction of a 6,000 square foot addition to the
20 north side of the existing courthouse in place of what
21 is now an existing small parking lot. The
22 historically significant Lofts at 500 Granby, formerly
23 the Showcase building which currently occupy the South
24 Site along with a small plaza are currently on that
25 site. If this site was selected, two lanes of

1 Monticello would be closed. This alternative would
2 also require the acquisition of the existing condo
3 units within the 500 Granby Street building.

4 The West Site which is located
5 immediately west of the courthouse is an area bounded
6 by Brambleton Avenue to the north, Bute Street to the
7 south, Granby Street to the east, and a north/south
8 line which is situated just east of the existing
9 telephone company building. Use of this site for
10 development of an annex would require the closing of
11 West York Street between approximately the telephone
12 company building and Granby Street. The annex might
13 be connected under this scenario to the existing
14 courthouse by a tunnel underneath Granby Street. The
15 2.4 acre site is currently occupied by surface parking
16 lots and several low rise commercial buildings, some
17 of which are considered to be of historic
18 significance. Ground was recently broken on this site
19 for a 31-story condominium building.

20 The North Site is bounded by Stark Street
21 to the north, Brambleton Avenue to the south,
22 Monticello Avenue to the east, and Granby Street to
23 the west. Use of this site for development of an
24 annex would not require the closure of surrounding
25 streets. The annex under this alternative may be

1 connected to the existing courthouse by either a
2 concourse underneath Brambleton Avenue or a bridge
3 over Brambleton Avenue. The bridge connection if
4 selected would be over 200 feet in length and there
5 would not be a connection on every floor. Potential
6 security issues with such a bridge have not been
7 studied at this point. The site's currently occupied
8 by the Greyhound Bus Station which may have historic
9 significance. In addition, the 500-year floodplain
10 covers approximately two-thirds of this site.

11 Lastly, the East Site is bounded by
12 Brambleton Boulevard to the north, Bute Street to the
13 south, the Scope Center to the east and the Hoffman
14 Courthouse to the west. Use of this site for
15 development of an annex would require the closing of
16 Monticello Avenue between Bute Street and Brambleton.
17 This alternative would impact traffic in the area and
18 the extent of these impacts is currently unknown but
19 would be studied as part of the Environmental
20 Assessment process.

21 Before I go on to explain these
22 processes, one thing I failed to note is that, in
23 fact, the South Site is currently GSA's preferred
24 alternative for the courthouse annex.

25 Now, as part of the selection process,

1 GSA is conducting activities to comply with the
2 National Environmental Policy Act, commonly known as
3 NEPA, and Section 106 of the National Historic
4 Preservation Act. NEPA is the national legislative
5 charter for the protection of the environment. NEPA
6 requires that Federal agencies such as GSA consider
7 the impacts of proposed actions prior to final site
8 selection.

9 Section 106 of the National Historic
10 Preservation Act requires agencies to consider the
11 effects of their actions on resources listed on or
12 eligible for listing on the National Register of
13 Historic Places. In compliance with Section 106 GSA
14 is consulting with the Virginia Department of Historic
15 Resources, which serves as the state's historic
16 preservation office.

17 In compliance with NEPA GSA is going to
18 be preparing an Environmental Assessment to assess
19 potential impacts of the proposed courthouse annex.
20 Scoping activities which include this public meeting
21 are being undertaken to identify potential issues and
22 alternatives which should be assessed in the
23 Environmental Assessment. GSA will then define the
24 final alternatives and assess the impacts to the
25 natural, the social and the cultural environments.

1 When complete GSA will issue a draft
2 Environmental Assessment for public review and
3 comment. This document will summarize the findings of
4 the impact analysis.

5 This document, the draft of our final
6 assessment, will be made available for a 30-day public
7 review period, and following that 30-day public review
8 if appropriate GSA will issue a finding of no
9 significant impact, or FONSI. That FONSI will
10 announce the final selection of the courthouse annex
11 site and define any mitigation measures that GSA will
12 undertake to minimize the impact to the environment.
13 Following issuance of the FONSI, GSA will begin site
14 acquisition, design and construction for the new
15 courthouse annex. If a finding of no significant
16 impact is not appropriate, GSA will undertake
17 preparation of what is called an Environmental Impact
18 Statement.

19 Now, in accordance with NEPA, GSA is, as
20 I said, preparing an Environmental Assessment. GSA's
21 objectives in conducting this EA is to ensure that all
22 natural, social and cultural environmental issues are
23 identified and considered in the decision-making
24 process. This meeting is one of the means that we
25 will use to inform residents and other interested

1 parties of the proposed action and perhaps most
2 importantly provide you a means of obtaining input --
3 GSA for obtaining input from you before making a final
4 decision. GSA will use the information contained in
5 the EA and your comments in deciding whether or not to
6 proceed with any of the proposed actions. And GSA
7 will take into account any and all relevant technical,
8 economic, mission and national environmental policy
9 considerations before issuing their final decision.

10 In compliance with the National Historic
11 Preservation Act, GSA will identify cultural
12 resources, including historic and archeological
13 resources that could be affected by the proposed
14 annex. GSA will then assess the effects of the
15 courthouse annex on these resources, and then lastly
16 GSA will work with consulting parties to develop
17 appropriate measures to mitigate any adverse effects
18 that the project may have.

19 The following slide shows the
20 Environmental Assessment schedule. During January and
21 February, 2006 the action alternatives will be defined
22 and impacts will be assessed. The draft EA, as I
23 said, will be published in March, 2006 and will be
24 available to the public for a 30-day review.
25 Following the public review period, if appropriate a

1 final Environmental Assessment will be issued in May
2 of 2006. And based on the findings of the final EA,
3 if appropriate a finding of no significant impact will
4 be issued. If a finding -- as I said previously, if a
5 finding of no significant impact is not appropriate,
6 an Environmental Impact Statement will be prepared,
7 which is a more detailed study.

8 Now, as GSA moves forward in preparing
9 the Environmental Assessment and conducting the 106
10 review process, we are seeking input on the proposed
11 action being analyzed, the alternatives to be studied
12 and issues you believe should be considered. We ask
13 that you submit your comments so that we can have a
14 formal record. We have written comment sheets for you
15 to do so. And we also have an e-mail which is posted
16 here for you to e-mail us any comments that you may
17 have. We are asking that all comment forms be
18 postmarked by February 1st, 2006 and then we also have
19 tonight's meeting to take your comments and questions.

20 So with that I would like to invite
21 people to the podium to speak in the order in which
22 you've signed up. We are asking that you give us your
23 name and spell it if necessary for the stenographer so
24 we can have an accurate record and, again, we're
25 asking for people to keep their comments to three

1 minutes. If you do have questions we are asking if
2 you can ask all of your questions and then I have
3 Mr. John Hewell with me tonight. He is the project
4 manager for the courthouse project -- I'm sorry --
5 Morrell -- John Morrell to help answer those
6 questions. If you could, if you have questions ask
7 them all and then John will come to the podium to
8 answer them.

9 The first person I have signed up to
10 speak is Susanne Williams.

11 MS. WILLIAMS: My name is Susanne
12 Williams and I am speaking on behalf of Mark
13 Perreault, president of the Norfolk Preservation
14 Alliance, was unable to attend the meeting tonight
15 because he is away on business. So I am reading to
16 you his prepared remarks. I do have a copy of these
17 remarks for your records.

18 Expansion of the Hoffman Federal
19 Courthouse should be accomplished in a fashion that
20 not only meets the needs of the court but respects its
21 neighbors, including historic resources, and
22 contributes as much as it can to the quality of life
23 and the continued resurgence of Downtown Norfolk. But
24 at this point we believe these worthy goals are not
25 being fully pursued by GSA and the court.

1 We say this because the options being
2 evaluated for court expansions, north, south, west and
3 now east, seem designed to result in a preordained
4 result, to go south and take historic Lofts at 500
5 Granby. Rather than a serious effort at finding a
6 successful formula to avoid such an unfortunate
7 result, the process appears merely an exercise to find
8 a plausible explanation for determining that there is
9 no option but destruction of an historic and vital
10 Downtown asset.

11 Among the evidence for this conclusion is
12 the citation of an executive order discouraging
13 construction of Federal facilities in 100-year
14 floodplains as precluding the northern option, a small
15 part of which is in a 500-year floodplain, not in a
16 100-year floodplain. Only slightly less revealing is
17 the emphasis on architectural unity. Of course, the
18 idea that the courthouse and its annex must be
19 architecturally unified is simply a subjective
20 opinion. It could just as easily be argued that the
21 annex should have its own character, that it should
22 and must be complementary to the historic courthouse
23 and that a physically connected addition, such as the
24 one in Wheeling, West Virginia, is too overwhelming
25 and stifles street life by creating a single use made

1 mega-block.

2 But even if architectural unity is a
3 valid goal, it is simply wrong that architectural
4 unity precludes a street between the buildings.
5 Architectural unity between the Hoffman Courthouse and
6 the annex on the Greyhound site can be achieved by
7 three different means: First, an addition in the
8 north parking lot that is designed to face and relate
9 well to the Greyhound annex; two, traffic calming and
10 streetscape changes and crosswalks on Brambleton; and,
11 three, appropriate design of the annex. But GSA and
12 the court have reportedly declined offers by the City
13 of Norfolk to assist in development of some conceptual
14 drawings of specific designs.

15 But most revealing is the artificially
16 structured manner in which the alternatives are
17 examined. Hybrid solutions, which are probably the
18 most likely to lead to a win-win solution, are not
19 being examined seriously, with only the north, south,
20 east and west unitary solutions getting some look.
21 What about a small annex on the Greyhound site,
22 combined with an additional floor for the Hoffman
23 Courthouse, an addition in the north parking lot
24 facing and relating to the annex on the Greyhound
25 site, a small addition to the south that would not

1 take the Lofts and an addition to the east which would
2 allow two lanes of traffic to remain on Monticello?
3 What about some or all of these things along with some
4 reorganization of the interior space in Hoffman, or
5 even some use of the basement? How about filling in
6 the courtyard on the courthouse, even perhaps a
7 thoughtfully designed tower rising above the existing
8 building? Why not utilize redundant structure, as in
9 the new Richmond courthouse, so as to allow new
10 building closer than 50 feet from the street? And
11 what about reconsidering the need for all of the
12 additional space initially identified, in light of the
13 possibility future projected caseloads may not be as
14 great as originally thought?

15 There simply has to be a satisfactory
16 solution for a modernized and expanded Hoffman
17 Courthouse that does not involve destruction of the
18 historic Lofts at 500. And it is not insignificant
19 that avoiding the need for their condemnation in favor
20 of accepting the city's likely donation of the
21 Greyhound site will save millions of dollars for the
22 Federal Government. The Federal Government should be
23 an example here, not only of wise judicial and civic
24 planning, but also of financial stewardship.

25 Thank you very much.

1 MS. GLYNN: Next speaker we have is

2 Mr. Ben Bines.

3 MR. BINES: My name is Ben Bines. I'm an

4 FA control pilot over at NAS Oceana. First I would

5 like to thank GSA and its members for this very

6 important meeting tonight. We are here to discuss

7 more than just the fate of 24 homes. We are here to

8 discuss and prevent a dangerous precedent from being

9 set. No matter how we look at this situation, the

10 facts remain unchanged. The courthouse has known its

11 need for expansion for a number of years. There are a

12 number of viable alternatives available to the GSA

13 that don't include taking citizens' homes.

14 Prospective land sites for expansion are rapidly being

15 used for real estate development and the City of

16 Norfolk would like to keep the courthouse within its

17 borders.

18 Complaining about how this situation

19 could have been solved to a significant lower cost to

20 the taxpayers if the GSA and courthouse acted before

21 the rapid increase in the land development is

22 irrelevant to this discussion but something that

23 should not be forgotten. What we should concentrate

24 on is preventing this situation from setting a bad

25 precedent that allows the ineffectiveness and

1 mismanagement to be solved by hurting the lowest
2 common denominator, the citizens. It should outrage
3 every homeowner and prospective homeowner that the
4 government feels that they can take our homes and send
5 us away with a pat on the back and a heartfelt apology
6 when many alternatives still exist.

7 I am not going to list all the
8 suggestions that have been presented to the GSA both
9 officially and unofficially, but they are many. The
10 common response is that there are policies in place
11 that for one reason or another make the suggestions
12 less desirable than taking 24 homes. I say policies
13 are easier to relocate than people. There is no way
14 in this day and age that any difficulty the GSA and
15 the courthouse seen with alternative proposals cannot
16 be overcome with some creative construction and policy
17 changes.

18 Bottom line is that these proposals are
19 less convenient. Well, there was plenty of time to
20 put convenience before necessity, but that time was
21 lost, not by those living at 500 but the government
22 administration that we pay our tax dollars to see that
23 situations like this don't exist.

24 We need look no further than Virginia
25 Beach for a policy worthy of emulation. Faced with

1 the possibility of losing their master base, they
2 didn't tuck tail and allow their citizens' homes to be
3 destroyed. They worked countless hours in the face of
4 continuous closure threats to find a policy that would
5 save the base and the homes and businesses that
6 surrounded it. Condemnation was the last resort in
7 Virginia Beach's eyes and it should be in ours as
8 well. Thank you.

9 MS. GLYNN: Next speaker is Mr. Baxter
10 Simmons.

11 MR. SIMMONS, SR.: I'm Baxter Simmons,
12 Sr. My son, Baxter, Jr. owns the Baxter Sports Lounge
13 which will be affected on the ground floor of the
14 building in question. Would you like the further
15 questions while I'm making my comments? Would that be
16 easier? One of the questions that I have is what are
17 the projected security costs to go across to the
18 Greyhound site? I kept hearing at the last hearing
19 it's so much more expensive. That's a pretty vague
20 term. If it was considered properly, then there would
21 be a budget number to answer that question. The other
22 consideration as I heard in the presentation tonight
23 is you are eliminating basically the Greyhound site
24 and yet no one has really thoroughly studied the
25 corridor situation, either the ramp over or the tunnel

1 under, as was presented tonight in the comments. So
2 my question is if you haven't really considered that
3 site, why are we zeroing in on a site that generates
4 the amount of tax dollars, historical site and many
5 other pro reasons before we've actually legitimately
6 considered the Greyhound site.

7 And the other question that I've got, as
8 I read the Executive Order as it relates to
9 floodplains which was discussed a little bit last
10 time, the Executive Order as I read it nowhere in that
11 order states that you can't build on a floodplain. It
12 only says that you have to do certain things, and the
13 floodplain as it exists over there is only on the
14 corner of the property and only relates to a two-foot
15 dimension. So we are talking about something that
16 really doesn't come into play and yet we were told
17 last time we can't build on that property because it's
18 a floodplain. If you could answer those questions for
19 me, I would appreciate it.

20 My basic comments are this -- and I'll
21 keep them short -- Baxter's Sports Lounge will
22 generate in the 20-year lease that it has on that
23 building in excess of \$6- to \$7 million in tax revenue
24 for this city. That has nothing to do with the 24
25 condominiums above it. It has nothing to do with the

1 historical value of the building which actually is an
2 older building and has more historical value than the
3 courthouse. I'm not suggesting we don't keep both of
4 them. I'm suggesting that that building has more
5 historical value. I'm suggesting that we jumped
6 through many hoops to meet the Virginia Historical
7 Resources Commission's requests and Design Review
8 Committee and the City of Norfolk to preserve the
9 heritage of that building and it cost us a lot of
10 money to do that but we were on the team that wanted
11 to make it happen. And what I am suggesting to GSA is
12 that they need to be on the team to make it happen so
13 that it works for everyone.

14 I am really concerned about the fact that
15 GSA made the comment, and I say GSA, one of the
16 persons made the comment at the last meeting that
17 their clients were the judges. Let me be perfectly
18 clear about this: Your clients are not the judges.
19 The clients are the taxpayers of this city and this
20 nation who sit here and watch you spend millions and
21 millions and millions of dollars to destroy a building
22 that is a good building, an historical building and a
23 tax revenue building in favor of building a tunnel or
24 a bridge to go across the street and do what you need
25 to do in its sincerity. So it doesn't even make any

1 sense, but to tell me that the client is the judges,
2 sorry. I don't buy that. Your clients are the
3 taxpayers, and GSA is not so far removed from that
4 entity that they can just do what they want to do at
5 the expense of others.

6 You have to justify your position, and I
7 can tell you standing right here if you can justify to
8 Baxter Simmons, Sr. that that's the site to build on
9 over the other sites you'll never hear a word out of
10 me, not one word, but I can also tell you there is no
11 way, absolutely no way, under no conditions and under
12 no scenario that you can justify taking that south
13 site over that Greyhound site. There is no
14 justification that you can offer that would work in
15 that scenario. So I want you to know that we're going
16 to be completely on top of this. We have built a
17 restaurant there that is part of my son's future, and
18 I can tell you you'll hear from me until my dying day
19 if you pursue that South Site and you have to
20 understand how a father is as it relates to his son.

21 I'm sure you-all have a similar situation, father of
22 sons and daughters, but be sure that we will be
23 watching every move that's made as it relates to
24 taking that South Site.

25 MS. GLYNN: John, if you would like to
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1 come up and answer the questions.

2 MR. MORRELL: Thank you for being candid.

3 Just to address one issue you brought up, the

4 taxpayers are one of our customers. We have many

5 stakeholders in this project. The judges aren't the

6 only stakeholder. The taxpayers aren't the only

7 stakeholder. We have the city, politicians, we have

8 our GSA office that we have to answer to. We have

9 other Federal agencies that are going in the building

10 as well, the community, the Historic Preservation

11 people. So we have a lot of people we answer to. We

12 are trying to take care of everybody. We are trying

13 to address everybody's issues as best we can. We are

14 evaluating every alternative and we appreciate you

15 bringing up anything new that we're not looking at.

16 On behalf of Mark Perreault, he brought

17 up some good issues today, some things we didn't think

18 about that we will look at. The Greyhound bus station

19 site is in a floodplain. This is no debate about

20 that. Mostly two-thirds of the site is in a 500-year

21 floodplain. There is a small portion in a 100-year

22 floodplain. Executive Order 988 states that we should

23 not build in a floodplain. GSA goes further than

24 that. We have copies of those in the back. When you

25 are leaving we can provide that. It's not the only

1 reason. There is some functional issues involved with
2 building on the North Site. There's a seven-lane
3 major highway that runs between the North Site and the
4 existing courthouse. One of our primary goals is to
5 preserve the Hoffman Courthouse. It's on a National
6 Register as an historic building. It's a prominent
7 building in Norfolk. We want to keep that as a
8 district courthouse. There's only four ways to expand
9 the building, north, east, south, or west. We are
10 looking at all alternatives.

11 The bridge or tunnel, it's possible to do
12 either. The function of the court to keep it a
13 unified complex and to keep the functionality there,
14 it's most efficient if we can connect on every floor.
15 When people do business it's easier to connect on
16 every floor and you can walk close by and do your
17 business. If you have to walk a half a block or a
18 block away to talk to somebody you need to do business
19 with, it's less efficient. There are several reasons
20 why we wouldn't go there or why it's a less optimal
21 alternative for us and for the courts.

22 MR. SIMMONS, SR.: What are the reasons?

23 MR. MORRELL: The functionality --

24 MR. SIMMONS, SR.: You didn't answer my
25 question. What are the reasons?

1 MR. MORRELL: The operation of that
2 courthouse and splitting up the function and working
3 together, it just breaks it apart. You can't operate
4 or you can operate but it's less efficient.

5 MS. PARET: Duplication of security.

6 MR. MORRELL: Duplication of security,
7 where we would have to build alley ports.

8 MR. BINES: This relates specifically to
9 this.

10 MS. GLYNN: We would like to be able to
11 give everyone who signed up an opportunity to speak.
12 If you could wait until the end.

13 MR. BINES: I just would like to know in
14 your personal opinion as a project manager if it was
15 your house on the line, would you want business
16 efficiency because someone can't walk up and down the
17 stairs quite as fast as they can walk through a
18 doorway --

19 MR. MORRELL: If it was my home, if I was
20 treated fairly I --

21 MR. BINES: Come on.

22 MR. MORRELL: I'm being honest with you.

23 MR. BINES: Would you want to lose your
24 home and the reason somebody gave you was business
25 efficiency be enough of a reason to say, you know

1 what, you are right, here are the keys?

2 MR. MORRELL: If I was treated fairly in
3 the process. If at the end of the day I said, you
4 know what, that's a good deal, I walked away from this
5 with a great deal, yes, I would be --

6 MR. BINES: My next question, do you
7 think companies like Bank of America, Fidelity, those
8 people who live and work in sky-rise buildings, who
9 have offices on the fiftieth floor, don't have
10 business efficiency?

11 MR. MORRELL: I'm sure they do.

12 MR. BINES: Why wouldn't there be any
13 reason you couldn't do it in the courthouse?

14 MR. MORRELL: I wasn't finished speaking
15 to Mr. Baxter. If you build in the north site, it
16 would be building basically a separate courthouse. We
17 would have two entrances. We wouldn't try and combine
18 functions. If we were to go north, we would abandon
19 the whole idea altogether and abandon Hoffman and look
20 for a totally new site. It wouldn't make sense for us
21 to go there. It wouldn't make sense for our client to
22 go there. We are looking at this. We are not closing
23 the door.

24 UNIDENTIFIED SPEAKER: What did you just
25 say?

1 MR. MORRELL: About which part?

2 UNIDENTIFIED SPEAKER: If something

3 didn't work you were --

4 MR. MORRELL: If we were going to go

5 north?

6 UNIDENTIFIED SPEAKER: Which is the

7 Greyhound site.

8 MR. MORRELL: Which is the Greyhound

9 site, we would consider a whole new courthouse

10 altogether. One of our primary goals is to try and

11 keep Hoffman in the inventory of GSA and try and keep

12 it as a predominant courthouse in Norfolk.

13 UNIDENTIFIED SPEAKER: So no way north is

14 what you are saying?

15 MS. GLYNN: No site -- no alternatives

16 are off the table at this point. GSA must consider

17 them all. They must consider them all through this

18 NEPA process and they are doing so. They have

19 identified a preferred site and it is appropriate

20 under NEPA to identify a preferred site and let you

21 know what that is. I appreciate everyone having

22 questions and comments, but I truly do want to give

23 the people who signed up to give a chance to speak. I

24 understand this is a difficult situation for many of

25 you and very personal, so we definitely want to give

1 everyone an opportunity. If after everyone who signed
2 up to speak --

3 UNIDENTIFIED SPEAKER: I'm being told you
4 are not taking the questions from the media. Why is
5 that?

6 MS. GLYNN: The next person --

7 MR. SIMMONS, SR.: Wait a minute. He
8 didn't answer my question about the cost of the budget
9 of the security.

10 MS. GLYNN: Answer the question for the
11 cost of the bridge or the tunnel.

12 MR. SIMMONS, SR.: The question was there
13 were several comments made in the first meeting about
14 security cost but there was never a number. If, in
15 fact, the examination of that property was legitimate,
16 there's got to be a budget number of what this
17 additional or duplicate cost is.

18 MR. MORRELL: This study isn't totally
19 complete. We are looking. We didn't rule it out.
20 The study is not complete. The costs are not
21 complete. This meeting is to make sure we are
22 addressing all the issues.

23 MR. SIMMONS, SR.: And I won't belabor
24 this. You just said you-all are ruling that site out
25 in favor of another location for the courthouse if

1 that's the way you have to go. That's what you said.

2 MR. MORRELL: That's not what we said.

3 We said this is our preferred alternative based on the
4 information we got right now.

5 MR. SIMMONS, SR.: I got that part.

6 MR. MORRELL: Then we didn't rule out any
7 sites at this point.

8 MR. SIMMONS, JR.: You slipped, John.

9 You said that.

10 MR. MORRELL: If I said that I make a
11 correction.

12 MS. GLYNN: The next speaker we do have
13 is Mr. Blount Hunter. I hope I said your name
14 correctly.

15 MR. HUNTER: My name is Blount Hunter.
16 I'm speaking as an individual. I have some prepared
17 notes, but given what has been said I'm going to
18 depart from them so if you'll bear with me. The
19 purpose of tonight's public meeting is to assess the
20 environmental impact of expansion alternatives for the
21 Federal courthouse versus a do nothing scenario. I'm
22 not sure that the do nothing scenario has even been in
23 the conversation. This process provides an
24 opportunity to look ahead, for us to embrace the
25 courthouse and encourage the interior reconfigurations

1 needed to provide security for judges and court
2 personnel.

3 This hearing provides an opportunity for
4 members of the community to express their concern that
5 the GSA is not fully considering all feasible
6 expansion options equally and to request that the case
7 for moving south onto the site of The Lofts at 500 be
8 considered as one of several viable expansion options
9 and not necessarily the most beneficial option of the
10 City of Norfolk.

11 If an Environmental Assessment relates to
12 historic resources, cultural fabric and economic
13 development, I would suggest that the Federal
14 Government which is the largest player contributing to
15 the physical stress of the City of Norfolk where 49
16 percent of the land is off the tax records could
17 really impact the economic environment of the city by
18 not taking existing buildings or land that is
19 privately owned and by giving a little bit of extra
20 emphasis in the decision-making process to land that
21 is already owned by the city, land that everyone would
22 agree is not used to its highest and best use and land
23 which is not returning tax revenues to the city today.

24 We've heard about north, south, east,
25 west. We haven't gotten a lot of attention to going

1 up and nobody has really talked about infilling the
2 atrium that exists already in that building. I think
3 all of these options are worthy of equal attention.
4 It's fair to say, and it hasn't been said yet, that
5 the zeroing in on the South Site is being driven by
6 the preferences of one or two individual judges, who
7 if they had equal zeal for the North Site we would be
8 here now extolling the virtues of the North Site or
9 the GSA would be doing that. I think it's all too
10 clear that the judges are the clients here.

11 This community expects no less rigorous
12 consideration of all expansion alternatives than would
13 be given to an icon site in Washington, D.C. or any
14 other major city. Not all alternatives have been
15 examined to the fullest extent possible. Applicable
16 Executive Orders allow greater flexibility than the
17 GSA admits. To date the process has been driven by
18 the judges' preferences primarily and secondarily by
19 operational convenience of the GSA such as a desire to
20 have one building and one secure entry with one metal
21 detector versus two buildings with two entries and two
22 metal detectors.

23 Some site alternatives appear to have
24 been examined only from the perspective of citing
25 reasons not to select them, despite issues that can be

1 easily overcome. Just as I am not a proponent of one
2 option, neither should the GSA be a cheerleader for a
3 single solution at this time. The GSA's announced
4 intention to expand to the south or preference to
5 expand to the south is premature. There are too many
6 possibilities to allow moving south to be viewed as
7 the only viable alternative for expansion. The city
8 and the public must become full partners with the
9 judges and the GSA in this significant urban planning
10 opportunity.

11 MS. GLYNN: Thank you very much. The
12 next speaker we have signed up is Chris Malendoski.

13 MR. MALENDOSKI: My name is Chris
14 Malendoski, marketing director of the Wright Company,
15 the listing broker for the development called The
16 Lofts at 500 Granby. 500 Granby is a federally
17 registered historical landmark designed by Clarence
18 Neff, local architect to such landmarks as Maury High
19 School and the Cavalier Hotel at Virginia Beach, is in
20 jeopardy today. Over the past five years we have been
21 working on its redevelopment and the recent
22 culmination has been the sale of most of the units,
23 sold at an unprecedented premium attracting exactly
24 the target market that any Downtown would want to
25 attract, namely people with means who want to live in

1 a vibrant urban area and who spend more money to help
2 the economy flow. Add to that the recent success of
3 our star restaurant tenant on the first floor,
4 Baxter's. The cloud over the fate of this building is
5 not fair to the owners in and of itself, but that has
6 not stopped people from purchasing completely, neither
7 has it stopped our optimism.

8 Norfolk is de facto the center of our
9 metro statistical area in every way, financial,
10 educational, arts and culture and Federal concerns.
11 Let me preface this to the GSA, the courthouse
12 officials, and to the honorable judges by stealing a
13 quote from an old friend of all of ours, Uncle Sam,
14 "We want you." Having said that, it remains plainly
15 obvious to us and to the general public that all
16 creative options for the Hoffman Courthouse expansion
17 have not been explored. Indeed in our own AIA report
18 from 2004, this is cited, quote, of the need to
19 approach new construction in historic areas with
20 sensitivity to historic urban context and of
21 successful approaches for doing so.

22 Allow me to offer just one possible
23 solution out of the many that have been offered
24 tonight. Granby Tower is constructed as planned, The
25 Lofts at 500 and Baxter's remain a fixture in

1 Downtown, and Monticello Avenue is closed off north of
2 Charlotte Street and east of the Hoffman building. In
3 this way the courthouse gets all of the setback it
4 needs while creative architects design a new
5 contemporary vertical and lateral addition with lots
6 of glass on the east face of the building to capture
7 the morning light.

8 Think of the facts. In a few years light
9 rail will zoom up north on Monticello Avenue and then
10 take a dogleg westward along the south side of
11 Charlotte Street. For years the city has needed a
12 good east/west corridor to transport its emergency
13 vehicles. The answer is an expanded Charlotte Street
14 and that's no secret. That's been on the books for a
15 while. The iconic monumental presence of the new
16 Hoffman Courthouse atrium will sit at the end of the
17 street but not too closely to light rail. Think about
18 that. The terminus of Monticello Avenue at Charlotte
19 can serve as an entrance to ample underground parking
20 for all the courthouse staff. Above a spectacular
21 promenade winds its way between Hoffman and Scope.
22 Everybody wins.

23 It's helpful to remember that this
24 country was created of the people, by the people and
25 for the people. We should not generate our building

1 plans based upon fear rather than optimism. God bless
2 our fare city and God bless the US of A.

3 MS. GLYNN: Thank you very much.

4 Ms. Karen Perreault.

5 MS. PERREAULT: Good evening. I'm going
6 to speak just as a citizen at large this evening. I
7 am very upset about the wastage that is being proposed
8 in taking over the South Site. As a Federal taxpayer
9 I just -- I find it outrageous that we can just throw
10 away the millions of dollars that it requires to take
11 over that property. I'm upset about the thought of
12 losing that building. It's fabulous and it's a
13 wonderful site for those who are fortunate enough to
14 live there and park Downtown. I just feel that there
15 are too many options to have to destroy any property.
16 There's going to be a 31-floor building across the
17 street. I don't see why this one can't go up as well.
18 I think it might help balance the entrance to
19 Downtown.

20 I'm not familiar with the actual design
21 and the space that makes up the courtyard inside of
22 the building, but I can't see -- the building itself
23 is so massive, I have to think that there ought to be
24 an opportunity to go up, that the building itself can
25 support several additional floors above. The idea of

1 closing off part of Monticello, perhaps filling in the
2 parking areas that exist now around the building, it
3 seems to make much more sense than wasting anything.
4 I just think this is insane to think of tearing down
5 that building and buying out the owners there and just
6 eliminating all of that. It just seems there are too
7 many other better solutions. I hope it gets serious
8 attention. Thank you.

9 MS. GLYNN: Thank you very much. Next
10 speaker we have Mr. Baxter Simmons, Jr.

11 MR. SIMMONS, JR.: My name is Baxter
12 Simmons, Jr., son of the fire-up father over there and
13 owner of Baxter's Sports Lounge, new business that
14 opened about three weeks ago. John, I know you are in
15 a tough position, but I'm going to fire a few
16 questions at you. You knew that was coming. First of
17 all, in reading the Executive Orders, one of the
18 things that has come to light in my understanding from
19 the economic department of the city is part of the
20 goal when building a public building is to stimulate
21 growth and social and cultural experience in an urban
22 area. The economic development office has said they
23 would encourage the growth north because that would
24 bring the Ghent area, tie it into Downtown. It would
25 stimulate growth across Brambleton Avenue which is

1 creating a barrier for the Downtown growth. How does
2 GSA explain trying to go south when the economic
3 development of the city has asked you to go north?

4 It appears in the presentation that the
5 Environmental Assessment is going to be done on one
6 site and one site only, or are all four of those going
7 to be done at the same time and all four presented?
8 It appears like the south is going to come out and if
9 there is no FONSI or significant impact that we're not
10 going to bother with the other three. That's another
11 question I have. You mentioned in the new annex, what
12 other Federal agencies are going in there, why is it
13 crucial to have those Federal agencies in that
14 building and why couldn't they be relocated to another
15 area close by or an adjacent building somewhere in the
16 neighborhood?

17 The big one for me, though, and I'm not
18 saying I don't trust what I'm hearing, but the term
19 from the presentation tonight and from the last
20 presentation is the expenses, and it's going to be
21 more expensive here and it's going to be more
22 expensive there, and as the son of an old politician I
23 know how we dance around issues and we creatively word
24 the truth. There might be an expense but until I hear
25 an actual number I can't in my heart believe that

1 anybody has done a valid survey or study to say,
2 because people can tell me there's a \$75 million
3 budget for the South Site for that property, well,
4 what is the actual proposed cost of a completely new
5 construction on the North Site, what is the cost of
6 the renovation, do the land value savings on the
7 renovation of the existing building versus purchasing
8 land and buying homeowners and business out at \$11-,
9 \$15-, \$20 million, do they balance out and the budget
10 comes out at the end? It always appears that it's
11 more expensive, more costly, but if somebody can tell
12 me a new 400,000 square foot courthouse ten stories
13 high on the Greyhound site would cost \$300 million
14 versus \$75-, I could sleep with ruling out a brand new
15 courthouse. But if somebody can't tell me an actual
16 number on that, I can't believe that the option has
17 not been explored enough. So when I can hear those
18 numbers I'm not going to say I'll sleep better, but I
19 might actually sleep.

20 My other thing, when we sit here and talk
21 about efficiency versus homes and efficiency, I think
22 the gentleman raised a good point, a 30-story building
23 you've got to go down 15 floors, around the corner
24 just like you have to walk across the barrier. What
25 you have to look at, my business in the first three

1 weeks has had 8,000 people come through its doors. I
2 would venture to say that's beating every other
3 restaurant in Downtown Norfolk and maybe other than a
4 couple of places at Waterside. I think it's having a
5 great significant cultural impact on what's going on
6 in Downtown. I've heard nothing but rave reviews.

7 I've seen The Lofts. They are beautiful
8 condos. People have gone and spent a premium as Chris
9 said. These are the people that Downtown has tried to
10 attract for so long, and to use the general business
11 efficiency statement, maybe that is the reason, but
12 what needs to be shown is that an annex in a separate
13 building just period can't work for business
14 efficiency reasons. To say that, okay, we might have
15 to stagger that a judge walks from his chambers at ten
16 after the hour and a prisoner walks from the holding
17 cell on the hour so they don't cross, I understand
18 that's a problem we're having now. That's a business
19 efficiency. Is that worth taking away 24 homes and a
20 business?

21 I know I've shouted a bunch of questions
22 at you. It will probably take you a little while to
23 answer. My other thing on the floodplain, it's my
24 understanding that the foundation of the building only
25 has to be raised two feet to be brought out of the

1 floodplain. Correct me if I'm wrong, but if that's
2 the case in the architectural design of the building
3 can it not be built up two feet to escape the
4 floodplain? That's all I have. I'll let you --

5 MS. GLYNN: Would you like me to address
6 the floodplain first?

7 MR. MORRELL: Sure.

8 MS. GLYNN: I would like to address the
9 floodplain issue for you first. Each city and town
10 has their own floodplain regulations and Norfolk may
11 say it has to be raised two feet above the floodplain.
12 The Federal Executive Order does not allow GSA to
13 build within the floodplain if there is a feasible
14 alternative to doing so. In addition, GSA's
15 administrative order does not allow critical actions,
16 and the courthouse is considered a critical action, to
17 be built in a 500- or 100-year floodplain. That's the
18 reason. It's not they are not complying with the city
19 regulations, it's a Federal statute or Executive
20 Order.

21 UNIDENTIFIED SPEAKER: If I could
22 interrupt. It's related to what you are saying. That
23 differentiation, though, between GSA and the Executive
24 Order is critical, because -- and this is a little bit
25 deceiving because it does not say in the Executive

1 Order -- that's the first thing I did after the last
2 meeting.

3 MS. GLYNN: If you want to give a comment
4 on that, sign up.

5 UNIDENTIFIED SPEAKER: Okay. I will.
6 It's already signed up. You'll see me in a few
7 minutes.

8 MR. MORRELL: I'm going to try to answer
9 some of your questions. The first issue you had was
10 stimulating growth north and why aren't we supporting
11 that?

12 MR. SIMMONS, JR.: Well, the economic
13 development office has said by going north you would
14 help stimulate the growth between Downtown and Ghent
15 to help tie in that area. That's been their preferred
16 site selection and my understanding is the Executive
17 Order that's one of the things that a public building
18 and urban setting place is supposed to do. By going
19 south, the economic development department has said
20 that will stifle growth, stifle social and cultural
21 effect and basically create a dark corner after 5:00
22 in the evening. So how do you get around that part of
23 the Executive Order?

24 MR. MORRELL: To me that's an opinion
25 because if we don't build a courthouse, does that mean

1 that corner is stifled? If we don't build a
2 courthouse anywhere, does that mean that corner of the
3 city is stifled by not going north? Because somebody
4 has an opinion that we should build north doesn't mean
5 that we should build north. We are evaluating all the
6 different aspects of that item, all the surrounding
7 sites. When the day is done we evaluate the pros and
8 cons of every site and whatever made sense for as many
9 people as we can please, that's what we're going to
10 have to go with.

11 MR. SIMMONS, JR.: Can you do a survey?
12 I'll bet you get a lot of people for going north.

13 MR. MORRELL: Like I said, there are many
14 stakeholders involved in the project and we are trying
15 to do what's right. We are not trying to take your
16 business. That's not our goal. If it happens to be
17 the preferred alternative, our goal is to make sure
18 you are taken care of properly. We are not here to
19 throw anybody out of their homes as a primary goal. I
20 know you have a lot vested in your business, not just
21 financially but I know when I do my job I put
22 everything into it and I'm proud of what I do and I
23 take ownership of what I do. So I know exactly where
24 you are coming from.

25 MR. SIMMONS, JR.: I appreciate that.

1 But I guess what I'm saying is when the city's
2 position is go north, we'll help you go north, then
3 they are representing two hundred plus thousand people
4 there and you say you are trying to please the
5 greatest number of people. I would think that would
6 outweigh a few judges. What I'm wondering is what's
7 the answer you give to the city saying, Hey, I'm
8 sorry --

9 MR. MORRELL: We've been working with the
10 city and the South Site is actually their proposal.

11 So we are trying to come to a compromise.

12 MR. SIMMONS, JR.: The South Site is
13 their proposal?

14 MR. MORRELL: Is that okay to say? Yes.
15 When we were evaluating different sites, the south did
16 not work for us originally in terms of acreage. We
17 needed to get a 50-foot setback on our building for
18 security purposes. The original South Site does not
19 work with a 50-foot setback. The city came in with
20 the proposal to enlarge the South Site so we can build
21 there.

22 MR. SIMMONS, JR.: That was a reproposal
23 to avoid taking Granby Tower. That wasn't their first
24 choice of sites.

25 MR. MORRELL: You are correct.

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1 MR. SIMMONS, JR.: That wasn't their
2 first choice of site.

3 MR. MORRELL: No.

4 MR. SIMMONS, JR.: The first choice is
5 the North Site, correct?

6 MR. MORRELL: And we could debate the
7 reasons why we're not --

8 MR. SIMMONS, JR.: I'm just asking you is
9 that correct?

10 MR. MORRELL: Yes. Depends what year you
11 ask that question, too, because that opinion changed
12 over the years.

13 MR. SIMMONS, JR.: Ten years ago you
14 could have taken it and nobody cared because we hadn't
15 developed it. It sat on the back burner too long.

16 MR. MORRELL: I'm not saying anybody was
17 pushing this whole process. We have all gone through
18 a development and we are where we are. Looking at the
19 past, like you said, doesn't get us anywhere, but we
20 have the information at hand right now and we are
21 doing the best we can. The EA, we are not just
22 looking at the South Site in the EA. We will address
23 everything we're talking about tonight. Anything new
24 that's put on the table we will address that in the EA
25 as well.

1 MR. SIMMONS, JR.: Are there four or one
2 EA?

3 MR. MORRELL: It will be one EA that will
4 address all issues. You will have the 30-day period
5 to comment on it and we'll republish it in a final
6 document and capture all the comments and address all
7 the comments on all four sites in addition to anything
8 else that is proposed.

9 MR. SIMMONS, JR.: What if there is no
10 significant impact on any of the other sites? If it
11 comes back there is no significant impact on the South
12 Site, what if there is no significant impact on the
13 North Site?

14 MS. GLYNN: If there were a significant
15 impact that could affect GSA's decision, GSA's
16 decision will be documented in the finding of no
17 significant impact. That finding will be for the one
18 selected site. That selection will be based on more
19 than just the findings of the Environmental
20 Assessment. It will be on mission, economics, and a
21 variety of other issues.

22 MR. SIMMONS, SR.: Historical.

23 MS. GLYNN: Right. If that were the
24 North Site, GSA would want to be able to issue a
25 finding of no significant impact for the North Site,

1 the east or the west, but it will be -- the EA will
2 analyze all four sites in detail.

3 MR. SIMMONS, JR.: But it will be one
4 report that will analyze all four and at the end it
5 will be this is a finding of the preferred site.

6 MS. GLYNN: And selected site --

7 MR. SIMMONS, JR.: And will it have
8 reasons that the others aren't as desirable?

9 MS. GLYNN: It will give the reasons the
10 selected site is selected. I can't at this time --

11 MR. SIMMONS, JR.: You understand
12 what I'm talking about?

13 MS. GLYNN: I do understand. I can't
14 prejudge where it's going to go. I can't say that.

15 MR. MORRELL: Other agencies in the
16 annex, the main reason for this project is the
17 expansion of the courts, more courtrooms, more space.
18 A lot of the Hoffman Courthouse does not meet the
19 court design in terms of courtroom sizes, ceiling
20 heights, operations of the courts. We need to have
21 the proper layout for juries, for stenographers, for
22 judges, make sure the sight lines are okay and
23 courtroom sizes are --

24 MR. SIMMONS, JR.: Square footage.

25 MR. MORRELL: Square footage, layout. So

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1 the main reason for the annex is additional courtrooms
2 primarily. Other court agencies are expanding as well
3 which will add to the square footage, but right now
4 it's looking like no matter what site we build on it's
5 at least six new courtrooms going in that building.
6 We cannot add on to Hoffman to accommodate those
7 courtrooms. That has to be understood. Infilling the
8 Hoffman Courthouse will not do that. Adding a fifth
9 floor will not do that. Along with those proposals,
10 which are good proposals -- we did look at them --
11 comes to impacts of the existing courthouse staying in
12 operation. If we were to do renovations like that,
13 which it can be done, but if we were to do that it
14 becomes costly. It's tough to renovate to that extent
15 without finding leased space and moving people out
16 while you are trying to -- it's tough to operate in
17 that environment while that renovation is going on.

18 MR. SIMMONS, JR.: I understand. What's
19 the number? You understand where I'm coming from.
20 Until you tell me there's a number, don't tell me it's
21 costly because these people losing their homes don't
22 want to hear it's costly. They want to know if it's
23 going to cost \$270 million versus \$75 million. To say
24 it's costly doesn't --

25 MR. MORRELL: I'm going to address a
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1 little bit of the cost issue later in one of your
2 further questions.

3 MR. SIMMONS, JR.: That would be great.
4 I appreciate that.

5 MR. MORRELL: But if we had to lease
6 space, it's basically building a new courthouse as
7 leased space and I can throw out the number now. The
8 new courthouse dollar per square foot numbers that are
9 coming out now from our central office to build a new
10 courthouse is roughly \$450 to \$500 a square foot. So
11 it is costly in terms of the security requirements
12 that are required for a new courthouse in terms of
13 progressive collapse, stiffening the building for
14 blasts, among other things, but the number we are
15 getting from central office -- and we have somebody
16 that can confirm that so I'm not on the hot seat the
17 whole time.

18 So in terms of new construction, this
19 follows your next question, if we were to build a
20 courthouse that's twice the size of the annex that
21 we're proposing, doubles the number, the square foot
22 numbers should give approximately the same.
23 Renovation of the existing Hoffman which we intend to
24 do after we build the annex is a lot less cost per
25 square foot than building new. We can't do as much to

1 an existing structure as we would to a --

2 MR. SIMMONS, JR.: You can't find some
3 efficiencies in your square footage as far as traffic
4 patterns?

5 MR. MORRELL: As far as the renovation of
6 Hoffman, we are looking to --

7 MR. SIMMONS, JR.: No, in a new facility.

8 MR. MORRELL: In a new facility you will
9 find more efficiency.

10 MR. SIMMONS, JR.: If you had 200,000 in
11 Hoffman and 200,000 in the new annex, couldn't you
12 build a 300,000 square foot new facility that would be
13 more efficient?

14 MR. MORRELL: It would be more
15 efficiency. To the extent of cutting it down to where
16 you are going, I don't think that's possible but we'll
17 look at it.

18 MR. SIMMONS, JR.: You are still more
19 expensive than the annex. I'm still looking at the
20 (inaudible) value of the brand new courthouse and the
21 brand new facility for an extra \$30 million and not
22 kicking people out of their homes and losing business.
23 Just curious.

24 MR. MORRELL: Did I address all your
25 questions? We got into the functionality of the

1 courts but we can debate that all night.

2 MR. SIMMONS, JR.: As far as the
3 questions go, I'm still looking for a cost number on
4 if you were to go north. And I'm not trying to put
5 this on you but you did slip and say if we were to go
6 north we would consider a whole other site. I'm not
7 holding you to that, but I want to make sure that was
8 on the record. I still don't have a number of what
9 two metal detectors is going to cost, two separate
10 security and two this, that and the other, and that is
11 a big factor.

12 MS. GLYNN: GSA does not have that cost
13 information here tonight. We understand your concern.

14 MR. MORRELL: But that's just not the
15 only reason.

16 MR. SIMMONS, JR.: But if we can mitigate
17 the other reasons and avoid the other reasons and that
18 becomes the only reason, that might be a solution that
19 we can find.

20 MS. GLYNN: We have other people that
21 have to speak, so we don't keep having the back and
22 forth. If you would like to come up and speak again
23 feel free. Next person we have to speak is Mr. Henry
24 Shriver.

25 MR. SHRIVER: Henry Shriver, I'm a
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1 citizen of the City of Norfolk. I'm looking around
2 the assemblage here. I don't know how many of you are
3 older than the Federal courthouse, but I do remember
4 watching them build it in my younger years, but I'm
5 not here specifically on an historic mission, although
6 I think it's extremely important to preserve a
7 building as a piece of architecture and it's one of
8 those buildings that would be very difficult to use
9 for anything else. I mean, it was a post office and
10 they made it into a courthouse rather well. I would
11 like to emphasize that at the top of the list there
12 are priorities. I think it very important that the
13 courthouse remain in the City of Norfolk and I think
14 it's well located in the north end of the main
15 commercial district as it exists today anyway as a
16 generator and activity and an anchor.

17 What my point is, though, is to look at
18 what's being done in other places and what I think
19 might really be done here. Several people have
20 alluded to it and I think there was some reference to
21 it earlier and that is the concept of going
22 vertically. Looking at the building there is not
23 really enough space in the hole in the donut to really
24 do much with, but it would greatly facilitate the
25 exercise of going vertically because it could house

1 and carry certain shaftways that would be essential to
2 efficiently and effectively do a building. Listening
3 to some of the numbers it might be in the eight- to
4 ten-story range above it. You say architecturally
5 what will the historic people say. It has been done
6 many times successfully, being done in New York now
7 for a building on the National Register, a building
8 that most of us here know which is Grand Central
9 Terminal in the middle of Park Avenue in New York
10 City. That building is -- you are talking about
11 something complicated, it's a very traditional
12 building filled with the embellishments of a high
13 period in architecture, but it was originally designed
14 to carry a ten-story addition. That was a very
15 interesting fact, but I think -- now, when some people
16 dismiss it and say when you have to go through the
17 building with columns and structure you are going to
18 completely disrupt it for the entire construction
19 period, maybe up to two years or more, that I think
20 needs to be analyzed because with the use of
21 centralized columns and transferred trusses, you --
22 it's possible to envision an addition that would
23 rather float above it with an interstitial floor for
24 mechanical, electrical.

25 I don't know that that's been explored,

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1 but in my mind in a three-dimensional world, you
2 mentioned east, west, north and south, but up and
3 down -- I would surrender on down. I know where the
4 water table is and so do you. But realistically a
5 vertical element there I do not think would be
6 disruptive, and what would it do? We do a lot of work
7 in forest protection, airports, this kind of thing,
8 military installations, control of entrances and exits
9 is paramount to have as few as possible is the best
10 and you are fortunate that to the north you've got a
11 pot of land that's yet undeveloped. I mean, it could
12 be whatever you want it to be within reason. You
13 don't have to load up mail trucks and things there
14 anymore.

15 But I think the point I make is that with
16 a vertical expression, the functionality would be
17 extremely unified. Everybody would be there. The
18 cost of disruption would need to be considered, but in
19 any case you would want to drop back from the facade
20 20 feet or so, give or take, and you might have a
21 pattern which, again, with transferred trusses would
22 limit the number of penetrations in the building. You
23 might be able to use the building during the
24 renovation. There have been many buildings that size
25 that have undergone serious renovation and still been

1 held together.

2 My point is not to do it or not do it,
3 emphasizing the point that I think it's important to
4 this community that have the courthouse and to have it
5 Downtown. My only appeal is that you add to your
6 directional points of expansion the vertical and do it
7 seriously and count the cost, count the cost fairly
8 against each alternative. If it goes south, it's
9 pretty apparent what the cost is, not to mention the
10 families disrupted and the people having dinner and
11 lunch and the energy it gives to the northern end of
12 the city. That will speak for itself, but there's a
13 number that need be attached to it, but in doing that
14 to see if the pieces can't be put together in a way
15 that would make it feasible to do an orderly expansion
16 in the vertical direction.

17 That's it. You know, I'm an architect by
18 profession and Neese Vanderoe said after a period of
19 time architects began to look like their buildings.
20 Isn't that something for all you architects to be
21 thinking about?

22 MS. GLYNN: I have three other folks
23 signed up to speak, Mr. Greg Bolch, Rob Mandle and
24 Alice Allen-Grimes. If anybody else would like to
25 sign up at this time, that would be great. Mr. Greg

1 Bolch.

2 MR. BOLCH: I'm Greg Bolch. I live at
3 Lofts at 500. First of all, I would like to say I
4 appreciate the GSA looking at the East Site. At the
5 previous meeting, that wasn't something that was
6 looked at and I brought that up, and I appreciate you
7 guys having a slide for that. The gentleman in the
8 back, I forgot your name, but at the last meeting you
9 went through the advantages and disadvantages of each
10 of the sites, north, west and south, that was pretty
11 beneficial, but that wasn't done for the East Site
12 because you-all didn't have that at that time. But I
13 see that now that it is in the plan it looks to me
14 like it's a viable option so I would appreciate it if
15 one of you guys could go through the advantages and
16 disadvantages of that and compare that to the south,
17 the advantages and disadvantages.

18 In addition to that, I would like to
19 point out, I was looking on the Internet and there is
20 a precedent for having courthouses divided when they
21 have to be. For instance, the LA courthouse, that's
22 one that I ran across in my research. Also punch in
23 Google 500-year floodplain and courthouse, I came up
24 with an NEPA case study, a hypothetical case study for
25 a courthouse expansion in a 500-year floodplain and

1 how that can be accomplished. Unfortunately I didn't
2 bring that with me tonight, but I do have the link and
3 I'll forward it to the e-mail address that you guys
4 have provided so you can look at that.

5 Just the last thing as far as going
6 vertical, the 500 Granby building, in fact, was built
7 with three floors in 1914. Then in the '30s I believe
8 floors four and five were added on. So I think in the
9 '30s if they could figure out how to add onto a
10 building maybe they could somehow do it in 2006.

11 MR. MORRELL: I can assure you judges
12 were not in that building when they did it. That's
13 all I'll say there. On the East Site that is part of
14 the EA. The biggest disadvantage to the East Site is
15 obviously closing Monticello Avenue entirely. But
16 that is being studied in the EA. We do have traffic
17 patterns being studied on any sites that affect
18 traffic. So I can't say it's a viable solution until
19 I see the traffic study.

20 MR. BOLCH: What about operationally?

21 MR. MORRELL: Operationally it looks
22 great. I like it. Rob, do you like it? I'm putting
23 Rob on the spot. Rob is our ARA, assistant regional
24 administrator, Region 3. You don't have to speak on
25 it. East Site is functionally -- does functionally

1 work well. The biggest detriment is closing a
2 six-lane road entirely. We don't know what effects
3 that would have on the city but we are studying that.
4 Precedent, LA, I'm not sure. The only thing I know
5 about LA is they are building a big courthouse out
6 there. Are they splitting functions? I thought it
7 was a brand new courthouse to house the entire
8 district and bankruptcy.

9 MR. HEWELL: That project -- I don't know
10 the numbers but in a general scope I believe that the
11 estimate for the project wasn't \$1 million. It was
12 somewhere between \$5- and \$600 million.

13 MR. MORRELL: I'm interested in the NEPA
14 case study. I haven't seen that.

15 MS. GLYNN: Mr. Rob Mandle, and I only
16 have one other additional speaker.

17 MR. MANDLE: My name is Rob Mandle. I'm
18 a Norfolk resident. I'll pick up where we left off
19 earlier. What I wanted to do was -- let me put it
20 into context really. I was at the last meeting and
21 the first thing I did when I got home was Google the
22 Executive Order and I read the whole thing. It's
23 really only three pages. So this seven- or eight-page
24 thing, it was a lot easier to read in the Executive
25 Order personally, but one thing I found, and I was

1 kicking myself because I left a printout on my office
2 desk of the Executive Order, so I'm saying this from
3 memory but I was glossing over the glossary and
4 definitions. In the Executive Order they do not refer
5 to a 500-year floodplain at all. It's in here but I
6 suspect that, and you guys can correct me if I'm wrong
7 or if you guys aren't sure, but what I suspect is the
8 problem here is the Executive Order also directs all
9 Federal agencies to come up with their policy relative
10 to the Executive Order. So the way I understood it
11 and the way it's defined in Jimmy Carter's writing --
12 remember it goes back that far -- a 100-year
13 floodplain is defined as the one percent in a given
14 year. The fact that GSA has gone to the 500-year
15 floodplain is on their own accord, not Jimmy Carter's.
16 And you guys can correct me if I was wrong about that.
17 I think that's a sticking point that's been bothering
18 me because it's been continued to be applied as a
19 reason not to pursue the North Site. That was the
20 number one reason they gave at the last meeting. I
21 know myself and a number of other people challenged
22 that without even knowing about the Executive Order
23 issue.

24 The other thing I wanted to comment on,
25 and it's been touched upon here and I think it needs

1 reiteration, is the West Site was at one point the
2 preferred alternative. Now you could say that
3 September 11th changed that but only -- that was my
4 excuse but only say 30 minutes ago it was stated that
5 the West Site continued to be the preferred site until
6 the city came with its proposal on Monticello. So
7 that became another sticking point for me was if the
8 West Site was a preferred alternative at one point,
9 even in the face of security concerns, you've got two
10 access points, all of the same issues you might have
11 on the North Site, the only difference being -- well,
12 two differences -- one being the main entrance of the
13 courthouse is not facing this new site, the North
14 Site, and, two, Brambleton is wider.

15 How do you address those two things?

16 It's not really that difficult. I work for an
17 architectural firm. We can do those kinds of things.
18 It's not too hard, the other architects in here as
19 well. That's another issue, that only architects and
20 engineers will really be able to speak to how to solve
21 those problems in challenging ways. That's an
22 architect's job, to come up with those ideas. That
23 first thing is important and the second thing is the
24 issue of Brambleton being too long. Well, you guys
25 were going to build a tunnel under Granby Street, yes,

1 Brambleton is longer but what's the appraised value of
2 the Showcase building right now? \$20 million,
3 something around there, could you build it at a net
4 increment at \$20 million? I think you probably could.
5 I'm not a tunnel builder, though.

6 But that other point -- I think I touched
7 that. The last thing I want to say is I really was
8 intrigued by the East Site as well. I understand that
9 traffic issue is going to be a problem, but the light
10 rail thing you could also push the light rail down
11 St. Paul. I don't know. You might want to talk to
12 the light rail planners to get them in here. Thank
13 you. Any of you guys can address some of those
14 things.

15 MR. MORRELL: The first question, you had
16 talked about the Executive Order versus the GSA order,
17 what you were saying is correct. GSA order states we
18 shouldn't build in a 500-year floodplain if it is a
19 critical action. The courthouse is a critical action.

20 MR. BOLCH: So it's not a Federal --

21 MR. MORRELL: The Federal Executive Order
22 doesn't address that issue. They do defer. It does
23 in the Executive Order talk about the 100-year
24 floodplain. So you are correct on that. It also
25 talks in the Executive Order that we are not supposed

1 to promote any other building in the floodplains.
2 That's one of the primary reasons we would lean
3 against building in floodplains. Maybe the Federal
4 Government can take care of themselves and we have the
5 taxpayers' money to mitigate any flood risks but other
6 businesses may not have that money, and we are
7 promoting the building around that area and developing
8 in the floodplain.

9 MR. BOLCH: Are you talking about in the
10 500?

11 MR. MORRELL: In any floodplain.

12 MR. BOLCH: The Federal or the GSA order
13 says that?

14 MR. MORRELL: The Executive Order says we
15 should not.

16 MR. BOLCH: It doesn't, though. It's
17 that the floodplain is defined in the glossary as a
18 100-year floodplain, one percent chance.

19 MR. MORRELL: But it says we shouldn't
20 promote building in a floodplain.

21 MR. BOLCH: In the 100-year. That's what
22 I was trying to drive at.

23 MR. MORRELL: Part of the north property
24 is in the 100.

25 MR. BOLCH: That corner.

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1 MR. MORRELL: Any part of the property in
2 a 100-year floodplain is considered in the 100-year
3 floodplain. If you want to split hairs --

4 MR. BOLCH: I'm not splitting hairs.

5 MR. MORRELL: If you look at the
6 floodplain, we are in the 100-year floodplain. We
7 are. The northeast corner of our site would be in the
8 100-year floodplain.

9 MR. SIMMONS, SR.: Wouldn't that be
10 setback property?

11 MR. MORRELL: It doesn't matter. It's
12 part of our property. The next issue was the West
13 Site was preferred before the South Site, the only
14 reason we considered the West Site as a preference,
15 the original South Site we could not get a 50-foot
16 setback. That was the only reason we were off of the
17 South Site.

18 MR. BOLCH: But my point being you were
19 willing to cross the street and do all the operational
20 issues.

21 MR. MORRELL: It wasn't the most optimum
22 solution for --

23 MR. BOLCH: But you were willing to.

24 MR. MORRELL: But we were willing to
25 because we had no other alternative. The South Site

1 we couldn't build on. When the city made the proposal
2 and said we'll make your site larger, that was the
3 perfect site.

4 MR. BOLCH: Then that begs the question
5 with what's wrong with the North Site other than a
6 two-foot 100-year floodplain?

7 MR. SIMMONS, SR.: If the city takes away
8 the South Site you will have to go north.

9 MS. GLYNN: If we can we have one more
10 person that hasn't spoken yet.

11 MR. BOLCH: Everybody else had an
12 opportunity to have a dialogue. I would like my
13 opportunity to have a dialogue.

14 MR. MORRELL: I'll be at Baxter's at
15 9:00.

16 MS. GLYNN: One of the things I keep
17 hearing repeatedly, though, why not the north, why the
18 south, those things will be addressed in the
19 Environmental Assessment and in the findings of no
20 significant impact. The decision has not been made.
21 So to say why not the north is not -- GSA can't say
22 not the north at this point. They can say it is not
23 preferred but they have not made that decision. If I
24 can, Alice Allen-Grimes, and then we did have three
25 people sign up to speak, Ben Bines, Blount Hunter and

1 Chris Malendoski.

2 MR. SIMMONS, SR.: I did also but she
3 told me not to sign up.

4 MS. GLYNN: I'll add you to the list.

5 MS. ALLEN-GRIMES: My name is Alice
6 Allen-Grimes. I'm a resident of Norfolk and a board
7 member of the Norfolk Preservation Alliance. I fully
8 support the planning process for expanding the
9 existing Hoffman Courthouse. The Federal courthouse
10 is an important component of Downtown Norfolk because
11 of the activity it generates and because the building
12 itself is an impressive historic structure that adds
13 much to Downtown's structure. It's critical that the
14 historic architecture of the courthouse and
15 surrounding buildings be a prime consideration in the
16 design of the expansion.

17 That does not mean that alteration of the
18 building is unacceptable. Adding to the interior
19 courtyard or any of the sides of the building other
20 than the front are reasonable options to consider in
21 planning the expansion, providing that such additions
22 are respectful of the building's history and
23 architecture, I do not believe that citizens concerned
24 about historic issues would be opposed, especially
25 considering that the loss or degradation of other

1 historic buildings could be the outcome if the Hoffman
2 building is not modified in some way.

3 Perhaps the construction of stairs and
4 elevators in the courtyard could provide a way of
5 separating the movements of judges from others.
6 Perhaps the construction of parking garages on the
7 immediate north side in the current parking lot, with
8 multiple stories above it, could provide the needed
9 square footage and provide the needed setback for
10 traffic vertically, if not horizontally. Maybe the
11 basement could be renovated to provide space for
12 meeting rooms or holding areas even if they don't have
13 windows.

14 It seems to everyone that the Bankruptcy
15 Court activities do not need to be in the Federal
16 courthouse. They could be moved to the North Site
17 across Brambleton or to some other site. Closing of
18 streets should be minimized, but perhaps the number of
19 lanes could be reduced on Bute Street or Monticello
20 Avenue or even Brambleton Avenue for that matter, if
21 it allows the space you need while working in
22 limitations. I ask that every option be evaluated
23 that would allow for use of the existing space on the
24 courthouse property and adjacent streets for Federal
25 Court activities.

1 It's understood that there are security
2 and safety requirements, but are they written in
3 stone? And that's a rhetorical question. I don't
4 expect a response this evening. In projects
5 constructed by government, for major highways to new
6 buildings to renovations, standards and so-called
7 requirements are routinely waived. I suspect there is
8 leeway in the 50-foot setback requirement for this
9 project as well, especially considering you have a
10 pre-existing structure that clearly will not be 50
11 feet from traffic on all sides on any of the options
12 that have been studied thus far.

13 I'm asking the GSA to form a Citizen
14 Advisory Committee to participate in the continuation
15 of the study. Clearly there are many interesting
16 parties, and your project will affect the lives and
17 livelihood of many people. Obviously the GSA will be
18 the decision-maker, and not the citizen committee, but
19 surely bringing in citizens who are informed about
20 Downtown issues and historic preservation can only
21 improve the ultimate outcome and in the process public
22 support for the decision will be gained.

23 MS. GLYNN: Mr. Ben Bines.

24 MR. BINES: I just have a few follow-up
25 questions I've gotten from listening to what's going

1 on this evening. First of all, to me it sounds
2 like -- and I'm not an expert on it yet, but it sounds
3 like we're picking and choosing which Executive Orders
4 and which GSA orders to follow and which not to follow
5 and we are ranking them on not an objective viewpoint
6 but some sort of a biased viewpoint. So far I've
7 heard historic, floodplain, condemnation orders, other
8 building restrictions, security, all these things.
9 Each one has an order specifically detailing what you
10 guys have to do, but nothing has been said this order
11 supercedes that, that order supersedes that, and I
12 would be very hard pressed to believe that any of
13 those orders would supercede condemning somebody's
14 home. I really believe based on other condemnation
15 cases going all the way up to the Supreme Court that
16 that is supposed to be and was implemented as a last
17 resort if there was nothing else that could be done,
18 and today we've heard a number of things that could be
19 done. Regardless of whether they are slightly more
20 expensive or slightly less expensive, you just don't
21 take people's homes flat out unless you absolutely
22 have to.

23 Closing Monticello, you say may be less
24 desirable than kicking people from their homes. How
25 could rerouting traffic, how could that possibly be

1 less desirable than removing people from houses? That
2 just -- as a human being you can't tell me that that
3 is less desirable or more desirable than building an
4 offshoot from a road, putting a tunnel, whatever it
5 may be, the cost, what it may be, bottom line is, what
6 I want to know is why are we paying for your guys'
7 mistakes? I've heard time and time again this project
8 has been on the books for ten years plus. These
9 buildings didn't exist ten years ago. You sat on it,
10 and I'm sorry about that and you are faced with a
11 difficult decision, but that wasn't us. It's not
12 right for you to transfer the blame and the
13 consequences to those people who are trying to make
14 Downtown a better place because somewhere along the
15 lines some miscommunication or whatever it may have
16 been caused you to drop the ball.

17 I personally, to address the issue of
18 security, I have a sister who works for the New York
19 City District Attorney's Office. She puts very hard
20 criminals away every single day. She looks at them in
21 the face, eye to eye. They are sitting there and some
22 of them go free after having sat there for two and a
23 half hours staring at her. She lives in Brooklyn.
24 You are telling me that there are five judges who
25 can't somehow figure out a way to keep safe with

1 probably slightly less hardened criminals at least in
2 numbers than New York City, at least in numbers,
3 ma'am. Maybe there is just as violent crime but there
4 aren't as many as in New York City. You are telling
5 me that they can't figure out a way to provide
6 security for those judges that also, again, doesn't
7 involve kicking people out of their homes.

8 On that same concept, you talk about the
9 need for multiple security, well, you build an annex,
10 build a bridge, close the whole thing and don't put
11 any doors or windows, no need for new security.
12 There's only one way to get in and out. There still
13 could only be one way to get in and one way to get
14 out. You don't need all that stuff. It's nice but
15 you don't need it.

16 Again, as a last alternative, you go back
17 and say there's no way we can build a building like
18 that, we have to take your homes because we need to
19 provide security for more people than just you, okay.
20 I don't see how that's not an option, enclose. You
21 don't need any more security. Everybody goes through
22 the same door they are going through right now.

23 I would like to also know how many of the
24 contractors and architects have you actually talked to
25 because a number of them say they could foresee ways

1 that might be more cost effective than what you guys
2 have come up with so far. We're all familiar with how
3 the government works. It's the least efficient entity
4 in the United States and pretty much over the world.
5 So the fact for you guys to come up with something
6 that says will be \$450 a square foot going up, west,
7 east, whatever, I don't believe that for a second if
8 you put that to a commercial firm. I think there are
9 a number of commercial firms that could come up with
10 proposals that would be viable, that would meet the
11 demands that don't involve the cost of you guys
12 looking at thousands of pieces of paper and your
13 salaries involved with it and whatever you add on to
14 the cost of doing one of these projects that isn't cut
15 and dry, cement and whatever goes in to building a
16 building. Really that's it for me.

17 MS. GLYNN: Next person, Mr. Blount
18 Hunter.

19 MR. HUNTER: I am going to form my
20 comments as a question or two. Could I please see the
21 hands of all the people who are employed by the GSA or
22 are consultants to the GSA who are here tonight? One,
23 two, three, four, five, six, seven, eight, nine, ten.
24 Of those ten people I would like a yes or no answer,
25 are any of you aware of a November, 2001 Environmental

1 Assessment prepared by the GSA on the Hoffman

2 Courthouse expansion? Yes or no?

3 UNIDENTIFIED SPEAKERS: Yes.

4 MR. HUNTER: Are you aware of the

5 conclusions of the statements of that 2001

6 Environmental Assessment with respect to the historic

7 resources?

8 UNIDENTIFIED SPEAKERS: Yes.

9 MR. HUNTER: How many yeses? I would

10 like to read them -- read the basic conclusions into

11 the record. "Selection of either the southern annex

12 site or the western annex site for the proposed U.S.

13 Post Office and courthouse expansion would result in

14 adverse affects to architectural resources within

15 national register listed Downtown Norfolk historic

16 district as expanded May, 2001." The northern annex

17 site is not in this district.

18 MS. GLYNN: We have two more, Mr. Chris

19 Malendoski and Baxter Simmons, Sr.

20 MR. MALENDOSKI: I have copies of what I

21 proposed earlier based on what Mr. Bolch had

22 originally suggested about eastward expansion. It's

23 very simple. It's not hard. Anybody that knows that

24 block of Monticello Avenue knows, yes, it can get

25 crowded when the circus is in town, which is about

1 once a year. That's about it. So -- and we can come
2 up with creative ways to redirect traffic especially
3 if we are graduating to a more mature mind-set in
4 transportation, such as Portland, Oregon, i.e., light
5 rail. So it's not all about the car anymore and it's
6 not all about security for a few people. It's about
7 the citizens of this city, this Commonwealth of this
8 nation for whom this nation exists to serve, and not
9 vice versa. So I just wanted to mention and remind
10 everybody that this whole process -- and if I could
11 quote our Mayor a little while ago as saying -- his
12 quote was, This is just flat wrong. Now, he's right.
13 The way we're doing this, the approach here, has been
14 wrong. Hopefully all options will be explored and,
15 again, you see my fighting gloves coming off right
16 now, but I want to remain positive. I want to remain
17 optimistic and I want to come up with a creative
18 solution that keeps the courthouse and Downtown and
19 provides for a secure facility but also preserves the
20 residents that have worked so hard and love living
21 Downtown as well and for the future residential
22 properties that are coming on line as well.

23 I might just finish and conclude by
24 saying not just search your hearts but search your
25 minds for creative alternatives. It is obvious that

1 every alternative has not been looked at. You guys
2 owe this to us. As public servants you owe this to
3 the American people. Thank you.

4 MS. GLYNN: Mr. Simmons.

5 MR. SIMMONS, SR.: This will be very
6 short and hopefully I can give you an idea that will
7 put all this to bed. First thing, just to make a
8 couple of quick comments, the Executive Order is just
9 as that gentleman said and you agree with, John, and
10 what I'm saying, it seems to me that the GSA policies,
11 and this happens in government as you know in any
12 phase of it, exceeds the dictations of the Executive
13 Order when it goes to 500-year floodplain. I
14 personally think, and please don't take offense to
15 this, I think that's illegal, and I think it would
16 lose a test in court but it shouldn't have to go
17 there.

18 Secondly, assuming that the Executive
19 Order, which it does say if you do certain things you
20 can build in a floodplain, assuming that you can do
21 that, every time the North Site is mentioned or a new
22 building is mentioned, a new courthouse, it's never
23 mentioned to go on the North Site. I feel the threat
24 of Virginia Beach. That's what I hear when I hear
25 that it will go somewhere else.

1 But my point is this: If you found that
2 building a new courthouse or as they say sectionalize
3 it and put it on the North Site and it meets or can be
4 done within the floodplain direction of the Executive
5 Order, why do you-all reject considering that, making
6 that assumption that the Executive Order is correct?

7 Now, having said that, let's go to the
8 east for just a moment. I know I'm in a different --
9 yeah, the east. You made the comment and I thought I
10 heard some pretty strong agreement that you liked the
11 idea of closing Monticello if the traffic conditions
12 work. Unless I missed something, you-all don't have
13 anything to do with the traffic conditions as long as
14 you have the security. So what I'm hearing is if the
15 City Council says we have no problem closing
16 Monticello and redirecting our traffic and so forth,
17 then you-all don't even need to carry this thing any
18 further. You can just decide on the East Site and be
19 done with it, am I correct, because you do not have
20 the direction to decide the traffic conditions for the
21 City of Norfolk? That's all I'm saying. You like
22 that idea, so I want to leave with a positive note, go
23 get them on the East Site.

24 MS. GLYNN: Thank you. We don't have
25 anyone else signed up to speak so I would like to

1 thank you for coming out tonight. We've gotten a lot
2 of great questions, a lot of great comments that we do
3 have a complete record of them. We will be obtaining
4 that transcript and going through it and using that
5 information as we move forward in preparing the
6 Environmental Assessment. That will be available in
7 about March and we will be sending out notices when
8 that is available. Thank you for coming tonight.

9 (The proceedings were concluded at this
10 time.)

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1 COURT REPORTER'S CERTIFICATE

2

3 I, Shell Riddle, a Registered

4 Professional Reporter, certify that I recorded

5 verbatim by stenotype the proceedings in the captioned

6 cause, Norfolk, Virginia, on January 10, 2005.

7 I further certify that to the best of my

8 knowledge and belief, the foregoing transcript

9 constitutes a true and correct transcript of the said

10 proceedings.

11 Given under my hand this _____ day

12 of _____, 2006, at Norfolk, Virginia.

13

14 _____

15 Shell Riddle, Notary Public

16 CCR Number 0313114

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1 SECTION 106 PUBLIC HEARING

2

3 WALTER E. HOFFMAN UNITED STATES COURTHOUSE

4 Norfolk, Virginia

5 November 14, 2005

6

7 Appearances: Rob Hewell, Assistant Regional

8 Administrator, GSA

9 John A. Morrell, Project Manager, GSA

10 Tim Hile, Property Manager, GSA

11 Graham Davidson, Hartman-Cox

12 Architects

13 Joanna Rosato, Project Executive, GSA

14 Gina Gilliam, Public Affairs Officer,

15 GSA

16 Also Present: Ted Christian, III, Confidential

17 Assistant, GSA

18 Leann Jost, GSA

19 Bernard Minakowski, GSA

20 Paul Andrade, GSA

21

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1 MS. ROSATO: Good morning. Welcome to
2 this public consultation meeting in accordance with
3 Section 106 of the Historic Preservation Act. My
4 name is Joanna Rosato. I'm from GSA in
5 Philadelphia. I'm the project executive for the
6 Courthouse Annex Project.

7 Before I get into introductions, I'd
8 like to let you know that this meeting was posted --
9 the public notice of this meeting was posted in the
10 legal section of The Virginian-Pilot on November
11 1st, and it ran for five consecutive days. In
12 addition to the posting, concerned members of the
13 historic preservation community were invited to the
14 meeting. Among those invited were the Norfolk
15 Preservation Alliance, the Downtown Norfolk Council,
16 the Virginia State Historic Preservation office, the
17 Advisory Council on Historic Preservation and the
18 City of Norfolk.

19 To my right here is John Morrell, who
20 is the project manager for the Courthouse Annex
21 Project; Graham Davidson, the architect from
22 Hartman-Cox, who's been working with us on the
23 planning for the building; Tim Hile, who is the
24 building manager here for the Hoffman Courthouse;
25 and Rob Hewell, assistant regional administrator for

1 the Public Building Service for the Mid-Atlantic
2 Region. Rob will be presenting today.

3 The purpose of this meeting is to
4 obtain public comment and input regarding Section
5 106 of the Historic Preservation Act and the impact
6 of the annex on the historic properties as it
7 relates to the Hoffman Courthouse Annex. Rob's
8 presentation today is going to talk a little bit
9 about our experience in GSA, our project objectives
10 and the project history and our experience
11 specifically as it relates to historic
12 preservation.

13 We will take questions after the
14 presentation. The presentation lasts about an
15 hour. We expect to have a question-and-comment
16 period for about an hour after the presentation. We
17 ask that your questions and comments be related to
18 historic preservation issues, and we would like --
19 at the end of the presentation, we'll give some
20 instructions as to how you should come up and ask
21 your questions or state your comments.

22 Rob.

23 MR. HEWELL: Thank you, Joanna.

24 Hi. Good morning to everyone. Before
25 we get into discussing the specifics of the Hoffman

1 Courthouse and the various issues surrounding the
2 construction of the annex for it, we thought it
3 would be of some interest to those of you in the
4 audience who have a background with historic
5 preservation to see some other projects that we've
6 done that involve attaching annexes to existing
7 historic buildings.

8 In the Mid-Atlantic Region of the
9 General Services Administration, we have a -- I
10 guess you could say we have a bias toward reusing
11 the existing historic structures rather than
12 abandoning them and building entirely new
13 structures. So --

14 A VOICE FROM THE AUDIENCE: Excuse me,
15 sir. Can you turn your mike up? We can't hear.

16 MR. HEWELL: Okay, I apologize. I'll
17 just try and get closer to the microphone. I'll
18 just lean over. And, please, if I get to be hard to
19 hear again, please let me know again. That's sort
20 of the story of my life. I don't talk too loud.

21 A VOICE FROM THE AUDIENCE: I don't
22 think the mike is on.

23 MR. HEWELL: Yeah, it's on. You can't
24 hear?

25 MS. ROSATO: I'll let you hold this.

1 MR. HEWELL: Okay, I'll just hold it
2 closer to my mouth. Is that better? Good. Do I
3 need to repeat anything I said? Okay.

4 I'll start at the beginning, I guess.
5 Before we get into discussing the specifics of the
6 Hoffman Courthouse project, we thought that it would
7 be of some interest to those of you with a historic
8 preservation background to see some pictures of some
9 other projects that we've done in the Mid-Atlantic
10 Region of the General Services Administration that
11 involve attaching new annexes to historic courthouse
12 buildings.

13 The entire region -- there are 11
14 regions of GSA, and our region has a sort of a bias
15 toward retaining our historic landmark buildings and
16 adding to them as necessary as opposed to abandoning
17 them and building entirely new courthouses, although
18 that is sometimes necessary as well. These go more
19 or less chronologically.

20 Oh, I'm sorry. We have a slide that
21 tells you about us. If you've never heard of us
22 before, we're a bureau of the General Services
23 Administration called the Public Building Service.
24 We have what may well be the largest inventory of
25 space held by a single entity in the world. We

1 have -- we occupy 357,000,000 square feet in 8900
2 buildings and properties, we manage 414 historic
3 buildings, including three that have the -- that are
4 classified as national historic landmarks. We house
5 well over a million federal employees in both owned
6 and leased space and we have a presence in 2100
7 communities. There are actually federally-owned
8 federal buildings in 500 cities.

9 The first project we thought we'd show
10 you is the Fisher Federal Building and Courthouse in
11 Trenton, New Jersey. This is a picture of the
12 original building constructed in 1933. In the '90s,
13 we added an annex to it that you can see in the left
14 picture behind to the left of the original building
15 and the lower right picture that's actually a
16 rendering of the back side of the building with the
17 new annex.

18 You can see that the original building
19 was well worth keeping. This is part of the
20 interior of the new part of the building. On the
21 left is a stairwell and on the right is the top of
22 the torch, which is -- let me see if I can go back.
23 I don't know if it will take me back.

24 Anyway, there is a glass stair on the
25 back of the building in the new annex that the

1 architect did in the style of the torch of the
2 Statue of Liberty, and this is the top of it.

3 Do we have any idea what the problem
4 is?

5 AUDIOVISUAL PERSON: No, that's what
6 we're trying to --

7 MR. HEWELL: Okay. We will try to
8 solve that, but I'll keep talking.

9 This is the courthouse building in
10 Scranton. The picture on the left shows the -- part
11 of the original building to the right of the
12 picture, or centered in the picture was a large
13 apartment building that was next to our building
14 facing the county courthouse across the street.

15 That building we acquired and
16 demolished and built -- this is going to be a
17 problem. The bottom picture on the right shows
18 you -- oh, good. The original building is to the
19 right, the annex is to the left. They're connected
20 by a glass atrium, and, hopefully, if this works,
21 the next picture will show you a picture -- or next
22 slide will show you a picture of the atrium. That's
23 interesting. As usual, these things were working
24 just fine before we started.

25 The picture on the right is the atrium

1 connecting the two buildings, the original building
2 to the right and the new building to the left. The
3 picture on the lower left is one of the new
4 courtrooms, and the picture on the further left
5 shows the atrium from the street.

6 This is a building in Wilkes-Barre,
7 Pennsylvania. It's not actually a courthouse. It
8 is now an office building. The original building
9 was the administration building of the Stegmaier
10 Brewery, and it was a whole complex of buildings on
11 this block. The Stegmaier Brewery went out of
12 business and sat empty for well over 30 years. It
13 had almost become a symbol in Wilkes-Barre of the
14 failure of the city to sort of regain financially
15 the status that it had. There were several attempts
16 to reuse the building. It ended up on the National
17 Historic Trust's list of the ten most endangered
18 buildings in the country, the ten most endangered
19 historic buildings in the country.

20 Through a rather unusual partnership
21 with the Postal Service and the city and the
22 developer, we ended up being able to reuse that
23 building and attach an annex to it. And the project
24 itself is a preservation that we're very proud of.

25 The picture on the left here is the new

1 lobby of the public complex. It's actually in the
2 old building. The addition is to the left and the
3 original building is to the right. And the picture
4 on the right is the offices that are in the cupola
5 or the top floor of the tower of the building.
6 Those are actually the offices of Congressman Ken
7 Jorski, who was a big supporter of the project. And
8 because the cupola was so perpetually interesting,
9 we actually designed it with a glass ceiling so that
10 you could look up and see.

11 The Erie Courthouse, which was only
12 just recently finished, is probably the most unusual
13 of all of these, because in the end it involved a
14 collection of five buildings. On the top slide, you
15 see our building, the original courthouse, built in
16 the '30s on the right. It's located next to what at
17 one time was the Erie County Community Library. And
18 it's a beautiful Georgian building that at the time
19 we started looking at this was vacant.

20 The picture on the bottom shows the
21 back side. To the upper right you see the library,
22 to the top you see our building, the annex that had
23 been previously added to it, and then in the front
24 here you see the vacant and abandoned Baker
25 Department Store, a clothing store, which was one of

1 the few examples in Erie of somewhere between -- I
2 don't know if it was art deco or art nouveau. If
3 there's anybody here who can answer that question
4 for me, I'd actually appreciate it. But there was
5 quite a bit of interest in the community in hanging
6 onto that.

7 What we ended up with, by adding both
8 another annex and a connecting atrium that connected
9 the other four buildings, is what you see here. The
10 spaces inside are spectacular. We reused the art
11 deco building as a retail office for the Postal
12 Service. The library is actually where the
13 Bankruptcy Courts are now. And you can see here on
14 the right-hand side what the inside of that building
15 looked like. We restored it, we think, to the
16 original colors and treatments. And on the left you
17 see the atrium, the new atrium that we put in
18 connecting all the parts of the building.

19 The next building up is Wheeling, West
20 Virginia. This one was just opened this year. And
21 the top building shows you -- top picture shows you
22 the original building. You can see probably they
23 added an addition on the right-hand side at some
24 point, I think it was in the '40s. The rest of the
25 block was occupied by a variety of buildings, which

1 in the end we were forced to take down in order to
2 put the annex on.

3 The new building here on the bottom
4 slide is on the left-hand side, and it's connected
5 also using a glass atrium. The left picture here,
6 you see the inside of the atrium, and you're looking
7 at the original exterior wall of the old building.
8 And on the right-hand side, you're on the upper
9 level of the sort of catwalk that connects the two
10 buildings at the second floor.

11 This is the last building, and this one
12 was also just completed this year. We were trying
13 to create a courthouse in Lynchburg, Virginia. And
14 in the end, we began using sort of an interesting
15 partnership of the different groups, including the
16 Postal Service again. We were able to acquire an
17 old 1912 schoolhouse, which you see on the left-hand
18 side. And in the end, we used that as the entrance
19 to the new courthouse building, which you see
20 attached to the left-hand side. The majority of the
21 spaces are in the annex, but the interior of the
22 original building is now the entrance lobby of the
23 building. And on the right-hand side, you see the
24 Bankruptcy Court, which is on the second floor.

25 So having taken that little diversion,

1 let's talk a little bit about what we're here for
2 today. This project and most of the other ones that
3 you saw on the preceding slides are all part of an
4 overall program to modernize, update and expand the
5 court system of the United States Federal Court
6 System. This goes back quite a few years now.
7 There are people here who could correct me if I'm
8 wrong, but for the sake of argument, let's say 20
9 years.

10 We used to -- working in the courts,
11 GSA used to propose courthouse projects under
12 renovations for new courthouses. In a kind of
13 case-by-case manner, we would develop the need for
14 the biggest projects, submit them, and both the
15 office managing the budget and Congress, who have to
16 approve our projects, finally got tired of seeing
17 the court need expressed project by project. And
18 they kind of dug their heels in and said to the
19 administrative office of the courts, Look, we don't
20 want to see any more individual project proposals
21 until we understood how they fit into the overall
22 priority of all of the projects that you have a need
23 for around the country.

24 And the result of that was that the
25 administrative office went out and developed a

1 planning system for gauging the need, the timing,
2 the priority of court construction and the court
3 addition projects and developed a priority listing
4 and developed what's called a five-year plan. And
5 for the last several years, we don't propose a
6 project to Congress unless it's on the court's
7 five-year plan.

8 What goes into establishing those
9 priorities, among other things, is the year the
10 existing building is out of space, various security
11 concerns, which are changing constantly, operational
12 concerns and the number of judges that are
13 impacted. If you have more questions about that
14 planning system, we can probably deal with them in
15 the question-and-answer period.

16 In this case, I guess you'd say it's
17 the City of Norfolk's turn. The priority need for
18 this project was identified in the 1990s and it has
19 evolved since then in several stumbling kinds of
20 steps, but the project objectives for this project
21 have remained pretty much the same since we started
22 looking at it. We want to satisfy the court's ten-
23 and 30-year expansion requirements and we want to
24 maintain a consolidated court presence in the
25 Hoffman Courthouse.

1 That involves, we hope, creating an
2 architecturally-unified court complex that optimizes
3 all of their concerns for security, circulation and
4 operation. And we'll talk a little bit more about
5 those.

6 I'm fond of saying about this project
7 it's a very complicated issue, but the basis of it
8 is actually very simple. Our project objectives are
9 to build an annex for the Hoffman Courthouse. And
10 without meaning to oversimplify it, the building has
11 four sides that we could possibly attach to or
12 relate to. And in the course of time, we have
13 looked at all four sides. And we'll be talking
14 about those in some detail. But from this picture,
15 I believe you can see that the -- if you're very
16 familiar with Downtown Norfolk, the south site, what
17 we refer to as the south site is across Bute Street
18 from the south side of the courthouse. And that
19 site contains the Landmark Building, which has
20 recently been converted into 24 condos and is about
21 to be -- I believe the Baxter's Sports Bar is just
22 about done.

23 That building was originally built in
24 1914 and modified in the late 1930s. The original
25 building facade was changed to, I believe, a

1 limestone facade, and by some reports, two floors
2 were added at that time. And the facade was changed
3 from its original style to what's now recognized as
4 the international style.

5 The west site, which is, of course, to
6 the west of the Hoffman building, would have been
7 comprised of a couple of parcels, including the
8 vacation of York Street or at least part of it. We
9 see that outlined in red there. We only -- when we
10 started investigating the west site, we also became
11 aware of the plans for a 31-story condominium tower
12 on that site, which had not come out.

13 The north site, which came up later,
14 you see outlined in red on the top of the slide, and
15 it is the current Greyhound bus station. And we did
16 find out as we were doing research on the site that
17 a portion of the site is contained in a floodplain.
18 We'll talk some more about that.

19 The east site is across the street from
20 the Scope, and the only way that we would be able to
21 expand across the east side is to pretty much close
22 Monticello Avenue, which is probably not practical
23 and, in any event, opposed by the city. So those --
24 that's just kind of a quick sketch of possible ways
25 of approaching this project.

1 Now, the history, for all intents and
2 purposes, this project started somewhere around
3 1997. We started investigating the potential for
4 doing an annex at that time, we did some feasibility
5 studies. And it's interesting to note, I guess,
6 that at that point in time, we didn't realize there
7 was a historic issue to deal with. The consultant
8 or one of the consultants that we used on the
9 project in the report that he did for us actually
10 referred to the Showcase Building as having been
11 built in the '50s, which it was not. That was an
12 error. And at that time, the block that's the site
13 that the Showcase Building sits on was not part of
14 the historic district. It has now been changed, and
15 that change took place -- I'm not entirely sure
16 exactly when but between 1997 and now.

17 The good thing about this site was that
18 with the closing of Bute Street, we were able to
19 contemplate actually attaching an annex to the
20 building, and that gave us a good solution to our
21 problem, because it facilitated the design of
22 circulation patterns and solved some other
23 operational problems. But it's very important that
24 we talk about the circulation patterns, because
25 you'll hear security mentioned several times today.

1 And to boil it down, security concerns of the
2 courthouses, there are actually two that have become
3 very, very strong design drivers. And one of those
4 was not as much of a driver in most of the projects
5 that we talked about and looked at the pictures of
6 earlier.

7 Those two are the need to separate
8 patterns of circulation within the courthouse. I
9 don't know whether you can see this real well from
10 the slide, so I may just kind of walk over and point
11 it out. But there are three very important
12 constituencies in the courthouse. One is, of
13 course, the courts, the judges and their staffs.
14 Two is the public coming to the building for a
15 variety of reasons, and three is the defendants in
16 cases that are held in the courthouse. It is very
17 important for both the safety of all three groups of
18 constituents and for the proper operation of the
19 court system to avoid -- I'm sorry, I don't have the
20 right legal words to describe -- to avoid people
21 hearing things that they shouldn't hear that are
22 intended to be -- I don't know the word right now.

23 MS. ROSATO: Confidential.

24 MR. HEWELL: Confidential, that's the
25 word. Those three circulation -- each of those

1 constituencies requires its own circulation pattern
2 separate from the other two. No courthouses built
3 before the 1990s satisfies that requirement, because
4 that requirement didn't used to be recognized as
5 being as important as it is today. And so in most
6 of the cases where we are doing courthouse
7 replacements or renovations, the biggest internal
8 problem that we have to face is how to separate the
9 three circulation patterns.

10 Is this going to reach?

11 In the existing Hoffman Courthouse --
12 and, again, if you can't see this, I apologize, but
13 I'm just going to use my finger -- the public
14 circulation on this particular floor of the
15 courthouse, the elevators and whatnot are here. The
16 public circulation goes down to this point, it goes
17 all the way around here to the back, and there are
18 some restrictions once you get to this point.

19 That circulation pattern is represented
20 on here by the sort of the crosshatched areas.
21 Where you see the red line, that's prisoner
22 circulation. Right now we don't have a clear form
23 of passage to get from the marshals' holding area to
24 the individual courtrooms without going through
25 public areas. In this case, it's pretty bad. We

1 actually have to traverse most of the floor to get
2 into the back entrance of the courtroom. That is a
3 tremendous security problem.

4 The third pattern of circulation is the
5 judicial circulation, judges and staff. That's
6 represented on here by the yellow highlighting. And
7 you can see that there are several areas in here
8 where at least two of the circulation patterns
9 cross, in other words, places where a judge can be
10 confronted by a defendant being moved to the
11 courtroom as he comes out of his office, or, even
12 worse, the defendant has to be moved through
13 public -- through the potential for public contact
14 before getting into the courtroom.

15 The addition of an annex on the south
16 side of the building, which is what we have looked
17 at, gives us the opportunity to create separate
18 patterns for all three, not only in the new part but
19 to correct those patterns in the existing building
20 by restricting the public -- the amount of public
21 contact with them and to separate the judicial
22 circulation and the prisoner circulation.

23 It's important to note that when we
24 originally looked at the south site, we were not
25 subject at that time to the second of the security

1 requirements that we are now faced with, which is
2 setback requirements on the outside of the
3 building. And that's -- I guess it's pretty obvious
4 why those setbacks are considered to be important.

5 But most of -- or I should say all of
6 the original courthouse buildings, the historic
7 courthouse buildings that we work with, don't have
8 those kind of setbacks. And so whenever we deal
9 with one of these projects, we are trying not only
10 to not build anything new that doesn't meet the
11 setback requirements but to do anything we can to
12 improve the glass security of the exterior of the
13 existing buildings.

14 When we first looked at the south side,
15 we came up with a plan that allowed a good
16 unification of both the new and the old. We were
17 assuming that we could take that annex pretty much
18 to the extremes of the original. But when we were
19 later faced with -- when we were later faced with
20 the setback issue, which kind of that requirement
21 kind of came in -- like many things, came in in the
22 course of the project, we were left with a much
23 smaller area for the footprint area for the building
24 if we were going to satisfy the 50-foot setback.
25 That size addition was actually quite impractical.

1 It allowed, at best, one courtroom per floor, which
2 is an extremely inefficient way to build a
3 courthouse, but it also, as you can see in the lower
4 right-hand side, required -- I guess you would call
5 it a high-rise tower immediately adjacent to the
6 historic building.

7 This was not a good solution for a lot
8 of reasons, but because it was the only direction
9 coming from the courthouse in which it was possible
10 to actually attach an annex, we continued to look at
11 it. We examined anything we could think of,
12 including adding a floor to the existing historic
13 building, which didn't do a whole lot for us but,
14 most importantly, was almost impossible from a
15 logistics standpoint. That would have disrupted the
16 courthouse so much that we would pretty much have to
17 vacate the entire existing courthouse and find
18 temporary space for the court operation, in which we
19 would be faced with all of the same problems with
20 respect to security, circulation and all that kind
21 of thing. And the expense of doing that, creating a
22 temporary space as well as the permanent space,
23 would actually have cost more than any other
24 option.

25 So after looking at everything we could

1 think of about how we could use the south site, at
2 that point, we decided to think about a different
3 kind of annex. And we went to the next logical
4 place, which was to the west site. And we did some
5 feasibility -- we looked at some feasibility issues
6 on the west site and ultimately determined that it
7 was possible on that site, because it was much
8 larger, to create an annex building that would not
9 have been architecturally -- excuse me,
10 operationally integrated, but we could accomplish a
11 very nice architectural enclave of the two buildings
12 with the two fronts of the buildings related to each
13 other across the pedestrian-friendly, two-lane
14 Granby Street. This was not considered to be as
15 good a solution as the south site, but at that
16 point, we thought it was the only real alternative
17 solution that we had.

18 We approached -- once we made that
19 decision, we approached both the city and the
20 developer of the Granby Tower, and you probably saw
21 the result of those meetings in the newspaper. It's
22 safe to say, I believe, that there were a number of
23 opponents to the use of the west site, not the least
24 of which was our friends in the city. And the city,
25 along with other people, suggested that instead of

1 threatening the development of that -- of the west
2 site, that we look to the north, which we did.

3 And the north site has -- it presents a
4 number of other problems. It's not a good -- it's
5 not a good solution to the desire to operationally
6 integrate the annex with the new building. We would
7 have to -- we would be across seven lanes of traffic
8 on a fairly busy street at extreme rush hours, and
9 there's really no way to operationally integrate the
10 two buildings. It might be possible to do a bridge,
11 it might be possible to do a tunnel, but we would
12 still have essentially two different buildings that
13 require two different security systems, two
14 different entry systems, and they would not operate
15 together.

16 More importantly, we discovered during
17 doing the investigation of the site that about half
18 of it is actually in a floodplain. And the federal
19 government is prohibited by Executive Order 11988
20 from both building or encouraging development in
21 floodplains unless there is no other practicable
22 solution. Given that and our other -- the other
23 hesitations that we have about the north site, we
24 kind of at least at that time ruled it out as a
25 plausible solution.

1 Our friends in the city then came to us
2 with a proposal that we hadn't considered because we
3 didn't think about changes to Monticello Avenue.
4 And what they asked us to look at, they said, If we
5 move Monticello Avenue to the east closer to the
6 Scope and closed two lanes, would that create enough
7 of a site for you to accomplish an annex on the
8 south side?

9 And when that was first proposed, I
10 have to tell you we weren't really sure it was going
11 to work. But we did investigate it, and it turns
12 out that it creates -- it makes the south site,
13 which was formerly right around in here, makes the
14 south site enough larger that we can now fit an
15 annex on it that would attach to the Hoffman
16 Courthouse and give us a good solution. It has the
17 added advantage of creating the necessary security
18 setback on the east side of the existing building as
19 well, so it has a lot of positives from our
20 standpoint. This particular option does give us --
21 does offer both operational and architectural
22 integration. It gives us both the security required
23 in a new building and enhances the security of the
24 existing building.

25 That's kind of where we are today. At

1 this point, we believe that the south site solution
2 is probably the only one that will give us the
3 successful annex to the Hoffman building. There
4 are, of course, other implications to that
5 observation, and I suspect many of you are here
6 today because of those concerns, primarily, those
7 people who have recently occupied condominiums in
8 the renovated Landmark Building.

9 And for those of you who are here for
10 that purpose, I just want to say we have -- we want
11 to hear what your concerns are, we want to answer
12 your questions, but that's not the purpose of
13 today's meeting. Today we're looking to satisfy the
14 requirements of Section 106, which is to talk about
15 the historic implications of our investigation. And
16 we would ask that if you have questions that are
17 unrelated to the historic process, please let us
18 know what they are. We have a variety of ways for
19 giving us comments, and there will be another
20 opportunity to meet publicly and talk about those
21 issues. We suspect the -- we believe we will
22 arrange that in January, but we will certainly make
23 it well-known.

24 So with that, I guess I would like to
25 open it up for comments and questions. The e-mail

1 address that you see on this slide is an e-mail
2 address at which you can send us any comments or
3 questions that you have, and we'll make sure that
4 they get answered. Today we're trying to answer as
5 many historic preservation issue questions as we
6 can.

7 MS. ROSATO: Okay. As Rob stated,
8 we're going to open up for questions and answers
9 and, hopefully, some comments from you on the
10 historic preservation issues. There are some ground
11 rules that we'd like you to follow. We're looking
12 for one question or comment per person. There are
13 many people in the courtroom. We want to give
14 everyone an opportunity to be heard.

15 We have a couple of ways for you to get
16 your comments and questions to us. If you're shy
17 and don't want to come up to the microphone, we have
18 comment forms for you that you can obtain on your
19 way out of the courtroom. There's also a web site
20 available here that you can send your comments and
21 questions to. We're prepared to answer all
22 questions and comments promptly, either through the
23 web site or through the public comment forum.

24 We have a court reporter here who's
25 recording today's proceedings for us. And in her

1 interest, we'd like you to come to the center here.
2 I'll hand you the microphone if you'd like to
3 speak. We ask you to state your name so that we can
4 get that for the record, and we can get started.

5 MS. GILLIAM: Hi. Any questions,
6 comments?

7 MR. PICKRELL: I'm James Pickrell. Has
8 anybody looked at the feasibility of going up or
9 going down?

10 MS. ROSATO: I'm sorry, sir. I
11 couldn't hear you.

12 MR. PICKRELL: Has the feasibility of
13 going up been eliminated?

14 MS. ROSATO: I understand the question
15 was, sir, did we look at going up above the existing
16 building?

17 MR. PICKRELL: Adding additional floors
18 to the existing building.

19 MS. ROSATO: Right, adding floors to
20 the existing building.

21 MR. MORRELL: We did look at adding
22 floors to the existing building, but because this
23 building is occupied, it would literally take us to
24 move the entire court out of the building into
25 leased space, which is basically building a new

1 courthouse for them. It's not cost effective to do
2 that, but we did look at it.

3 MS. GILLIAM: And your name is James
4 Pickrell, sir?

5 MR. PICKRELL: Yes.

6 MS. GILLIAM: Any other questions,
7 comments?

8 MR. DEAN: Yeah. My name is Craig
9 Dean, and I'm partners with my friend, Bobby Wright,
10 the building on the south site, as you guys call
11 it. Sitting here listening to -- I met a couple of
12 you guys before. And, first of all, we weren't even
13 notified about this, as owners of the building, that
14 you were going to have this meeting. I just want to
15 bring that to everybody's attention.

16 You mentioned a couple things that as
17 developers down there we deal with old buildings and
18 we deal with unique spaces that present problems.
19 And for you to talk about two minutes on the north
20 site and to say it's in a floodplain and that we
21 could not build above that, everybody -- every
22 building down here has been dealing with the floods
23 since Norfolk has been here.

24 To not utilize the north site for a
25 flood -- you know, you have the parking problem and

1 everything else which would be incorporated into
2 it. If you could build above the floodplain, which
3 might add another eight feet, which would get you
4 out of the floodplain very easily, you would also
5 help the city in the fact as continuing the progress
6 of Granby Street and the revitalization of it by
7 heading north.

8 To say that circulation problems and
9 stuff like that is a factor in it, I totally
10 disagree. If you gave me your plans, I could have
11 one of our many architects come up with a
12 circulation that will work just great. Architects
13 do amazing things now with computers and CADs and
14 everything else. They can solve those problems.
15 But the floodplain issue, that's -- I think that's
16 smoke for that particular problem.

17 As far as shutting down Monticello and
18 making that smaller, that's an okay option, but that
19 gets used a lot, too, to help feed the new
20 revitalized Downtown.

21 Taking our building there, you have a
22 lot more room over there to do what you need. And
23 if I go up Washington, D.C. -- I remember when you
24 guys were talking about, you know, flyovers or
25 whatever. There must be a hundred flyovers in the

1 D.C. area. Now, are they grandfathered in?
2 Probably. But to make it secure, you can go
3 underground for security. I'm 20 years a Navy
4 SEAL. I know about security. It can be done. And
5 so to not use the north site when the city basically
6 is giving it to you, saying, Please do this, to help
7 extend the revitalization of Downtown, it's just
8 ludicrous. And so I just -- I think you should look
9 at that harder.

10 The floodplain thing, that's easy to
11 overcome. Every building around here has overcome
12 that, and I think it's about a seven- to eight-foot
13 difference. If you put your parking garage down
14 there and build above your parking garage, the
15 floodplain is a very lame excuse, I think.

16 So I just wanted to put that out
17 there. You know, sometimes I feel like these
18 meetings are just -- we have to do this because the
19 book says so and you've got your mind made up
20 already, but it would be great to see the government
21 work in conjunction with the city instead of
22 stomping on them and making that a big black hole
23 right there, when we have people living down here
24 which we've been trying to do for a long time and we
25 have everything invested down here.

1 And so I think that just doing
2 something to work with us for a change would help,
3 and you guys -- it would be a lot better rapport
4 between big government and the city government. I
5 think it would make it a team effort, and there's
6 nothing that can't be overcome. When somebody picks
7 a site, solutions start happening. Myself and my
8 partners see that all the time. God, what are we
9 going to do? We think about it. And if people put
10 their minds together, anything is possible. And I'd
11 just say work with us on that, and everybody will
12 help, and the solutions will be met, and your
13 circulation needs and everything else will be met.
14 You'll find out those problems can be mitigated.
15 You know, by buying that building, you're talking
16 umpteen million dollars to go buy all the people out
17 because it's all sold out, and here, you know, a lot
18 less, I'm quite sure. So please think about that
19 very much.

20 MS. ROSATO: Thank you for your
21 comments.

22 MR. JAMES: I think everybody can hear
23 me. Okay. I'm Ellis W. James. I'm a lifelong
24 resident here in Norfolk. I, too, would like to see
25 a closer examination of the north site. My main

1 concern is for the people who have already committed
2 to moving into the south area.

3 I would like to raise a question about
4 the impact on the historic aspects of this. I
5 understand clearly Executive Order 11988. Is there
6 any override of security considerations that in any
7 way impact 11988? Let me give you an example, and
8 this is not personal. If you think about what
9 you've seen on the screen, a 50-foot setback is
10 somewhat of a pipe dream for security. If you look
11 at what happened in Oklahoma City, you will clearly
12 understand you'd need 500 feet of setback to protect
13 us against that kind of an attack.

14 Now, my concern is that this seems to
15 be very much driven allegedly by security but in
16 fact is not really the key issue. And I'm
17 interested in whether or not this question of
18 historical buildings and their presence in the area,
19 whichever site you consider, is any way impacted or
20 overridden by the question of security.

21 MR. HEWELL: I thank you for your
22 question. I'm going to try and answer it, but I may
23 need to ask you to help me. We are, for better or
24 worse, driven by, regulated by, subject to a lot of
25 requirements and processes, and they exist for a

1 variety of reasons. Some of them have been
2 legislated, some of them have been mandated by the
3 President. And the floodplain issue is one of
4 those. It is quite true that people build buildings
5 in floodplains. I'm an architect by training. I'm
6 well aware of that.

7 The federal government, the President
8 of the United States made a decision that unless it
9 couldn't be avoided, that was not something that the
10 federal government should do. And it's not just
11 for -- just to protect the federal buildings,
12 although that, given the extremely unusual weather
13 conditions that we've experienced this year, is kind
14 of in the front of our minds. But the floodplain
15 actually talks about not doing anything which would
16 encourage development of the floodplains. I mean,
17 it binds our hands quite a bit.

18 The only places in the country where we
19 have undertaken construction projects in floodplains
20 is pretty much where the entire city was in a
21 floodplain and we literally had no other choice.
22 And I can't argue with either of your points that
23 it's possible to build a building in a floodplain.
24 I cannot add -- I'm just telling you that as
25 employees of the federal government undertaking a

1 federal project, we are constrained by an executive
2 order.

3 You brought up another point which I've
4 now managed to talk myself out of.

5 MS. ROSATO: The setback.

6 MR. HEWELL: The setback, right.
7 Security has been a very difficult thing for us to
8 deal with for the last ten or 15 years. It changes
9 all the time. And every time it changes, it gets
10 worse in terms of the requirements that we have,
11 because as I mentioned, when we started this
12 project, we didn't yet have a setback requirement.
13 We did have a requirement for dealing with the
14 separate paths of circulation. But when the setback
15 requirement first came in, it was essentially a
16 hundred feet or 50 feet minimum, and for any setback
17 less than 50 feet there were height requirements
18 that as you got closer and closer, smaller and
19 smaller setbacks.

20 And we actually -- around the country
21 we were able to build a couple of buildings which
22 even after the setback requirements came in with
23 less than 50-foot setbacks by putting coning into
24 the exterior of the building. As an option, that
25 was taken away from us later in the process of

1 developing the security requirements. There is now,
2 we are told at least, no waiver on the 50-foot
3 setback requirement. Again, I think I understand
4 that. I'm not sure that I can defend it completely
5 to your satisfaction other than to tell you that
6 it's a requirement that we have to deal with.

7 The separate forms of circulation, when
8 that requirement approval first came in several
9 years ago, we tended to make compromises in existing
10 buildings. Our latitude to make compromises has
11 steadily been taken away as well. We're dealing
12 with a very heavily security-minded system of
13 justice and it's due to many, many factors, and it's
14 hard to argue with the thought and purpose behind
15 those, but it makes our job that much harder. And
16 other than that, I'm not sure how to answer your
17 question.

18 MS. GILLIAM: Any other questions?

19 MR. HUNTER: Just a comment. My name
20 is Blount Hunter, and I live here in Norfolk. I'm
21 speaking as an individual. The topic today is the
22 impact on historic environment. I don't think
23 there's any conclusion other than the fact that
24 taking an existing historically -- historically
25 significant building would have a negative impact on

1 the historic environment of Downtown Norfolk.

2 I know that the historic district
3 boundaries changed midgame, but the building didn't
4 change midgame. The building is a contributing
5 structure and a very significant building. It is a
6 complete non sequitur to give us all warm and fuzzy
7 feelings about the GSA connecting existing historic
8 buildings to existing courthouses or post offices
9 with the magic of a glass atrium connection. I
10 don't think any of those show buildings that were
11 historic that were destroyed for an expansion of a
12 courthouse building.

13 MR. HEWELL: Actually, it did.

14 MR. HUNTER: Well, if it did, I
15 apologize. That's a very different issue than
16 taking a building for a footprint. I'm actually
17 excited that the court is committed to Downtown
18 Norfolk. I'm excited that we have an architectural
19 firm with the quality and reputation of Hartman-Cox
20 doing this job, and I think they can do an
21 incredible job in a creative sense on another site.

22 MS. ROSATO: Thank you for your
23 comments.

24 MR. HANNAH: Hi. My name is Trey
25 Hannah. I can talk loud. I have a comment and then

1 a question. The comment is that you've done some
2 wonderful things preserving historic buildings.
3 Part of the criteria you-all are searching for has
4 possibly been to take some old historic buildings
5 and put them back into use such as a schoolhouse and
6 brewery.

7 And that isn't what's going on here.
8 If you-all vacate this building, the historical
9 structure would still be maintained and you wouldn't
10 be abandoning it for disuse. But -- so -- and,
11 also, this used to be occupied by and shared with
12 the Postal Service, but somebody else can take it
13 over and keep its historical significance. And that
14 was the comment.

15 And the other thing is you showed the
16 50 -- the 50 foot that you need for the security
17 needs. It shows on the Monticello side, but what
18 about the Granby Street side? It doesn't seem like
19 that's going to be according to the graph.

20 MR. HEWELL: I'm sorry if I didn't make
21 that clear. The current south side option that
22 we're looking at allows us to achieve a 50-foot
23 setback around all three sides of the new annex, and
24 it actually gives us the opportunity to achieve the
25 50-foot setback on the back side of the Hoffman

1 building, which we don't have now. So it enhances
2 the security of the Hoffman building, but it doesn't
3 create a 50-foot setback around the entire -- around
4 the existing building, but it does in the new
5 building.

6 MR. HANNAH: Okay.

7 MR. SIMMONS, SR.: My name is Baxter
8 Simmons, Sr. My son, Baxter, Jr., is the Baxter's
9 that you have been speaking of. If you will allow
10 me a little latitude, I've got three quick
11 questions -- they don't require a long answer -- and
12 some comments. Since we're investing multimillion
13 dollars here, if you'll give us that opportunity.

14 The first question is how many square
15 feet are you trying to achieve in your annex?

16 MR. HEWELL: If you'll give me one
17 second.

18 MR. SIMMONS, SR.: The second question,
19 while you're looking at that one, is on the security
20 issue of the 50-foot setback, how high is the
21 setback required to be? You said it has to be 50
22 feet deep. How high does it need to be?

23 MR. MORRELL: The setback requirement
24 is for vehicular traffic.

25 MR. SIMMONS, SR.: I understand. Thank

1 you.

2 MR. MORRELL: It's approximately
3 200,000 square feet of space we're trying to create.

4 MR. SIMMONS, SR.: Two hundred
5 thousand? Okay.

6 MR. MORRELL: It's basically the same
7 size as this building right here.

8 MR. SIMMONS, SR.: Sir?

9 MR. MORRELL: It's approximately the
10 same size as the Hoffman Courthouse.

11 MR. SIMMONS, SR.: And how about in
12 doing that on the existing south site, how high
13 would you go with that building?

14 MR. MORRELL: In the preliminary plans,
15 without getting into design, we haven't started
16 design yet, but it looks like approximately six
17 stories.

18 MR. SIMMONS, SR.: Okay. And I think
19 that gives me an opportunity to speak to the issue
20 now. And as it refers to the historic issue -- and
21 I know that's why we're here today -- I think we're
22 trying to preserve two buildings here. We're trying
23 to preserve the Hoffman Courthouse, which I respect
24 very deeply, and we're trying to preserve 500 Granby
25 Street, which we've got a major investment in, along

1 with the owners of the building, the 24 homeowners.

2 I would like to say that there are
3 several opportunities here. And I'll run through
4 them real quick, and we'll talk about them at your
5 other meeting like you had suggested. First, it
6 looks like we're trying to force this addition into
7 this area to preserve this courthouse, and I
8 understand that part.

9 Now, there are two pieces of property
10 besides what we're talking about here today. One is
11 the surface parking lot on the other side of Scope
12 and one is the abandoned shopping center or defunct
13 shopping center at St. Paul's Avenue, one block
14 south of Brambleton Avenue, both of which have more
15 than enough land to accomplish a new structure
16 meeting maximum security requirements, meeting all
17 the needs that you require and eliminating you
18 having to spend atrocious amounts of money, taxpayer
19 money, to buy out condominiums in 500 Granby in a
20 condemnation process.

21 Now, I would like to know how much this
22 has -- no answer right now -- how much that has been
23 considered.

24 Number three, the Greyhound bus site,
25 let me assure you one thing. And I understand it's

1 a 500-year floodplain, so that means once every 500
2 years it's expected to flood. Now, we've got to be
3 practical here. I served in the city government for
4 eight years and I know how you have to work these
5 things. You have to use common sense. If it floods
6 at the Greyhound bus station, you aren't going to be
7 anywhere near that courthouse at 500 feet away, so
8 let's think about that. That is not even an issue
9 that should be considered other than the legality of
10 the issue. And if that's the problem, you need to
11 go through Congress and you need to tell them to
12 give you an exception. So I don't think that that
13 functions as an issue at all.

14 You have a catwalk in Wheeling, West
15 Virginia, so there's no issue with a catwalk, as I
16 can see it, across Granby Street or a tunnel
17 underneath, which is obviously.

18 You mentioned earlier about the judges
19 being confronted with witnesses, and I agree with
20 that wholeheartedly. Also, the U.S. Attorney's
21 Office, as we understand it, does not want to
22 necessarily be located in this building because they
23 don't want to have prisoners coming back and forth
24 like you're talking about -- may I finish? Coming
25 back and forth and confronting their witnesses. The

1 witnesses are terrified enough without having to be
2 exposed to that same environment. It's my
3 understanding that they would prefer to be in a
4 separate building. And if that's the case with the
5 annex, then you've answered that question. But
6 understand that they don't have to be located, as I
7 understand it, in this immediate annex.

8 Now, having said that, you've got, you
9 said, 200,000 square feet. If you go up on each
10 side of the federal courthouse -- and that can be
11 done without interrupting any federal operation,
12 because it can be attached to the side of those
13 buildings, and your cut-throughs can be made, you
14 know, once the construction is finished. But if you
15 went up, you can get -- on the Brambleton side, you
16 can get 8,000 square feet per floor. On the side on
17 the Bute Street, you can get 6400 square feet per
18 floor. You can also keep your secured parking for
19 bringing prisoners in and that type of thing to the
20 existing courthouse by starting at the second
21 floor. And you can go higher if you need to.
22 You're going to go six floors in the new one anyway,
23 so, you know, you're going to put out quite a bit.

24 My next question would be then -- or
25 statement would be then you can use the Greyhound

1 property for let's say the U.S. attorneys and those
2 types of operations and also parking.

3 And then -- I'm just about through.

4 Then the other option is has any consideration been
5 given to using the center of this area of this
6 building which is open at the present time? And the
7 other question is what presently is the basement
8 being used for?

9 MS. ROSATO: That's a lot of questions,
10 sir.

11 MS. GILLIAM: I was going to say I
12 can't keep track of everything you said. Have you
13 got --

14 MR. HEWELL: Just a clarification on
15 the U.S. attorneys. There was a point back in the
16 '90s when we were thinking about including the U.S.
17 attorneys in the building, but they are not in the
18 current housing plans for the annex. Our intention
19 is to leave them outside the building.

20 MR. SIMMONS, SR.: Okay, good.

21 MS. ROSATO: Thank you, sir.

22 MR. SIMMONS, SR.: Well, I had --

23 MS. ROSATO: Did you want to comment on
24 the --

25 MR. SIMMONS, SR.: The 48,000 -- the

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1 square footage in the basement.

2 MS. ROSATO: On the basement or the --

3 MR. DAVIDSON: It is true that there is
4 a good deal of space in the basement in this
5 building that is underutilized. It is our --
6 generally considered to be not proper form to put
7 people in basements and so it's difficult to figure
8 out what function we could place down there to make
9 use of that space additionally other than for
10 storage space. It does not work, that is to say,
11 for courtrooms and chambers for judges, for
12 instance.

13 MS. GILLIAM: Did you have anything
14 else to say?

15 MR. DAVIDSON: Yeah, I just wanted to
16 follow up a little bit on the comments with regard
17 to adding to the north and the south in the space
18 you mentioned. If you look at the problem with the
19 abstract, that is to say, just adding space to this
20 building to make it larger to accommodate our
21 200,000 square feet of additional space, in theory
22 you are correct. You could put saddlebags to the
23 north and to the south for full height and make up
24 more or less the sort of area that we need.

25 Unfortunately, the type of space that

1 we need in order to solve both space and the
2 security problems is one of courtroom and chamber
3 space. And courtrooms and chambers come in certain
4 sizes and they act as units and they have therefore
5 certain dimensional requirements. And so they
6 don't -- those sort of dimensional requirements mean
7 that the spaces can't be fit in a nice, little
8 sliver that you might add to the existing building.

9 MR. SIMMONS, SR.: Just one more on
10 historical and I'm through.

11 MS. ROSATO: We have other folks that
12 need to speak.

13 MR. SIMMONS, SR.: I understand. I
14 know. We've got major investors here.

15 MS. ROSATO: Absolutely.

16 MR. SIMMONS, SR.: And let me just
17 assure you, I understand what you're saying, but
18 just throw this in the back of your hat. The
19 basement could be used for your security and your
20 prisoners and that type of thing and be very secure,
21 since nobody can get down there.

22 My comment on the historical issue,
23 okay, it is my understanding that there is a law --
24 and you have to help me here -- that says that you
25 have to -- you have the responsibility of exhausting

1 every other possibility that is adverse to taking a
2 historical building. This isn't happening, because
3 there are a few other locations. And I am told by
4 the City of Norfolk that they're interested in doing
5 a new library, and it was going to be potentially at
6 the Greyhound site.

7 I think this building should be
8 preserved. This building could become the library
9 and you could keep the courtroom for Judge Hoffman
10 or any other activities and make it an educational
11 experience for our children, and the building would
12 be preserved, because nobody's going to destroy a
13 library, and you can build your new courthouse in a
14 proper setting. And I think you really need to look
15 at that instead of trying to force this issue.

16 But in conclusion, I'll just say that
17 we are strongly opposed to your taking the south
18 site. We did everything that we had to do. No one
19 stepped to the plate and said they were interested
20 in that property. And now that we're ready to open
21 three weeks from now, you know, all of a sudden
22 everybody wants our building. And I don't think
23 that that is in the interest of the citizens, the
24 taxpayers or the federal government. We do need to
25 work together to accomplish your goal but not at our

1 expense. Thank you.

2 MS. ROSATO: Thank you for your
3 comments, sir.

4 MR. PIERCE: I don't need the
5 microphone. I'm Darren Pierce. Baxter Simmons, Sr.
6 mentioned about all the investment dollars going
7 into this project. That's actually my company
8 that's doing a large portion of that. I'm here --
9 I'm trying to formulate this as a question, but I
10 think you guys probably knew this all the time.
11 You're coming into a hostile environment, basically,
12 and expanding to the south side or the north side of
13 the other properties makes a lot more sense.

14 Sitting here, I'm not convinced that
15 you have researched the north side. You mentioned a
16 floodplain. You should be more specific about the
17 floodplain as a term. Are you referring to a flood
18 zone, a flood hazard zone is what I'm concerned
19 about.

20 MR. HEWELL: I'm sorry, you're sort of
21 out of my field of expertise.

22 MR. PIERCE: Is it a 500-year
23 floodplain?

24 MR. HEWELL: It is a 500-year
25 floodplain. The executive order that we're

1 following makes no distinction between the 100-year
2 floodplain and 500-year floodplain.

3 MR. PIERCE: I'm just saying you need
4 to exhaust all other options.

5 MR. HEWELL: All other options --

6 MR. PIERCE: So you have a 500-year
7 flood zone is your number one concern, and the
8 second concern is seven lanes of traffic?

9 MR. HEWELL: (Nodded head.)

10 MR. PIERCE: You mentioned you need
11 400,000 square feet of space?

12 MR. HEWELL: Two-.

13 MR. PIERCE: Two- plus the existing
14 two-, 400,000. Is it possible to build a
15 400,000-square-foot facility on the Greyhound bus
16 site?

17 MR. HEWELL: I didn't say that, but --

18 MR. PIERCE: With the exception of
19 the --

20 MR. HEWELL: We haven't studied putting
21 a 400,000 --

22 MR. PIERCE: You haven't studied it?

23 MR. HEWELL: We haven't studied putting
24 a 400,000-square-foot building in there.

25 MR. PIERCE: I would like to submit

1 that you study that. If you put a
2 400,000-square-foot new facility on the Greyhound
3 bus site, you'd get your 50-foot setback and you
4 would address all the security concerns, and you can
5 make the City of Norfolk better.

6 MR. HEWELL: If we -- if it came to
7 pass that we would -- that we started looking for
8 solutions to the construction of an entirely new
9 courthouse, we would not limit our search for the
10 site to the Greyhound bus site. We would be looking
11 at all possible sites that would be the best site
12 for building the courthouse. And I can pretty much
13 tell you we wouldn't build it in a floodplain.

14 MR. PIERCE: I can imagine a lot of
15 that is an economical concern, which has not been
16 addressed today as far as dollars.

17 MR. HEWELL: Well, we would look at
18 economics, yes.

19 MS. GILLIAM: Excuse me. Is there a
20 question here?

21 MR. PERREAULT: Good morning. I'm Mark
22 Perreault with the Norfolk Preservation Alliance.
23 We certainly are very appreciative that the federal
24 court and GSA are willing to retain this magnificent
25 structure, one of the great buildings of Norfolk,

1 and the city would be a much lesser place without
2 it.

3 I guess I hope that the gentleman who
4 spoke earlier and said that there had been -- that
5 this hearing was merely a formality and the decision
6 had been made, I hope he was incorrect, and I hope
7 that GSA is seeing and learning more about what kind
8 of city Norfolk is and how many people over the last
9 20 years have put so much in making this city and
10 this Downtown in particular what it is. It's a very
11 compact place, it's a very walkable place and it's a
12 very delicate and fragile place, because everything
13 that is done in this Downtown affects things around
14 it. And nothing damages our Downtown more than
15 losing the few remaining historic buildings we have
16 in the Granby corridor.

17 I want to -- I think that if everyone
18 gets together that there is a win-win situation. I
19 don't know exactly what it is. I think it's
20 complex. But I noticed that in particular with the
21 north site, that you didn't have a drawing -- or you
22 don't have a drawing out here showing what the north
23 site looks like. Unlike the west site and the south
24 site, it wasn't looked at apparently in much
25 detail. It was sort of tossed aside at an early

1 stage for some reason, maybe the floodplain issue or
2 something else.

3 But a couple of problems that you cited
4 on the north side, one is architectural unity. You
5 certainly were able to accept the idea of the west
6 site providing architectural unity even though it
7 was divided by a street. And while you didn't say
8 too much about this, I suspect the principal reason
9 is the Brambleton Avenue -- different character of
10 Brambleton Avenue from Granby Street.

11 And I know that the city -- and I think
12 that could be confirmed by the representative of the
13 city today, if you'd like to hear it -- is committed
14 to doing whatever can be done to make crossing
15 Brambleton Avenue a much more comfortable experience
16 than it is today. And there's a whole national
17 movement on traffic calming, on streetscape
18 improvements that has been very successful in
19 changing dramatically the character of the city
20 street.

21 We want to do something on Brambleton
22 Avenue independent of this project because we want a
23 seamless transition from this part of Downtown to
24 the other side of Brambleton. And I think if the
25 court, the judges and GSA would enter into a

1 dialogue with the city about the specifics of what
2 could be done crossing Brambleton Avenue that you
3 might not only get comfortable with the idea, you
4 might get excited about the idea, because I think in
5 some ways, the north site provides you some
6 advantages as opposed to the south site, more room
7 to build on.

8 Now, that only -- if you can get past
9 that point -- and I don't expect you can do that
10 without some real details and some real
11 discussions -- then you can address the floodplain
12 issue. I think you acknowledged that there are some
13 exceptions that are necessary. I suspect politics
14 can play a lot of role in that. If everybody who
15 loves Norfolk, including the court, can get around
16 this and go to Senator Warner and Senator Allen and
17 say, We want this to happen, I think we'll solve the
18 floodplain issue. And in doing that, we're going to
19 make not only a great courthouse but make this
20 wonderful city that much a greater city and show
21 what people can do when they work together. Thank
22 you.

23 MR. SIMMONS, JR.: My name is Baxter
24 Simmons, Jr. And I hope I'm not as long-winded as
25 Dad, but I do have to say that this is the first

1 time we've seen or talked to anybody from GSA, and
2 putting millions of dollars into a business, it's
3 real disappointing. But if I may be allowed a
4 little leeway, I have two questions.

5 First of all, so we can understand the
6 need for the 200,000 square feet, based on some of
7 the slides you showed, some of the nice things that
8 you-all have done, they appear to be mostly between
9 about 40,000 and about 70,000 square feet.

10 MR. HEWELL: Several --

11 MR. SIMMONS, JR.: He's shaking his
12 head that's correct. The ones that you showed.

13 MR. HEWELL: They range in size, but
14 most of them are --

15 MR. SIMMONS, JR.: Two hundred thousand
16 square feet is reasonable. I understand courtrooms
17 and chambers. In addition to that, what else is
18 going to be in that building once it's done?

19 And then my other question is about the
20 floodplain issue. If the floodplain issue could be
21 given approval to build on that site, if Congress,
22 the President or whoever was to say that site would
23 be acceptable regardless of the floodplain issue,
24 would that north site then become a favorable site?

25 MR. HEWELL: It would not become the

1 favored site by any means. It is -- the floodplain
2 is --

3 MR. SIMMONS, JR.: An acceptable
4 alternative?

5 MR. HEWELL: No, please don't put that
6 in my mouth. The floodplain issue closed off
7 consideration fairly definitely for us because of
8 the prohibition. Before we found out that it was in
9 a floodplain, it was still not a favored site. And
10 the comments about the taming of Bussellton
11 Avenue -- Brambleton Avenue. I'm sorry. There's a
12 Bussellton Avenue in Philadelphia, I understand.

13 Brambleton Avenue and the other
14 comments that have been made notwithstanding, it's
15 not by any means an ideal annex situation. That's a
16 wide separation. If we wanted to build a separate,
17 unattached building, we would -- you know, we would
18 not be satisfying the project's goals and we would
19 certainly look at other sites then besides that
20 site.

21 MR. SIMMONS, JR.: I understand what
22 you're saying an ideal situation. What we're asking
23 is a city in the community is not necessarily that
24 you have an ideal situation but an acceptable
25 situation. And I look at two of your examples

1 there, Scranton, Pennsylvania, you put an atrium,
2 which looked to be a pretty sizable atrium; and in
3 Wheeling, West Virginia, you put a catwalk and
4 atrium.

5 Why could not a glass atrium with a
6 catwalk be built two, three, four stories high
7 overtop of Brambleton Avenue, not just a walk bridge
8 but an entire atrium, leaving 20 feet, 14 feet of
9 passage underneath? There's your connection for
10 your building. The Wheeling, West Virginia building
11 is sizable.

12 MR. HEWELL: I think you would agree
13 that there's a difference between an atrium 20 feet
14 into the air and an atrium that serves as the main
15 entrance to the complex, which it does in both of
16 the annexes that you're talking about.

17 MR. SIMMONS, JR.: That's fine, but
18 architecturally you can change that. We're looking
19 at a way to connect the buildings to make -- to help
20 you-all with your feasibility of circulation.

21 MR. HEWELL: And the entrance between
22 the old building and the new building in both of
23 those cases was considerably smaller than Brambleton
24 Avenue.

25 MS. GILLIAM: Sir, excuse me. We have

1 three more people who have questions. Let's get to
2 them and then I'll get back to you.

3 MR. SIMMONS, JR.: Okay.

4 MS. ROSATO: Excuse me. Before we
5 continue, we'd like to make one comment.

6 MR. HEWELL: Before you mention that, I
7 was just reminded that we are not at this moment
8 approved or funded for a project that would build an
9 entirely new courthouse. We have project
10 authorization for an annex. But if you didn't hear,
11 our project approval at this point from Congress is
12 for a 200,000-square-foot addition, not for a
13 400,000-square-foot infrastructure.

14 MR. LADD: Yes. My name is Ed Ladd,
15 and I am the board chair for an organization called
16 the Downtown Norfolk Council. We represent 300
17 businesses in Downtown Norfolk. And, obviously, we
18 have the best -- we believe we have the best
19 interests of this entire community at heart.

20 We had previously communicated in
21 writing about two pages that -- we addressed it to
22 Mr. Rob Hewell. And I would just like to ask that
23 you enter this communication into the record. I
24 won't read two pages, but we do support pursuing
25 that north site strongly for all the reasons that

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1 have been mentioned by most of the other speakers.

2 MR. HEWELL: And I do remember your
3 letter, and we'll be happy to enter it into the
4 record.

5 MR. LADD: Thank you. Would you like a
6 copy?

7 MR. HEWELL: If you want to provide it
8 to us here so we can get it, that would be fine. We
9 have other copies back at the office.

10 (See attached letter.)

11 MR. BOLCH: I'm Craig Bolch. I'm
12 actually an owner in the building next door. The
13 first comment I'd like to make is -- it's referred
14 to by the press as a project, but, really, I don't
15 think that's the case. There are many of us who
16 have closed, live there and we own it, so to refer
17 to it as a project is not really an accurate
18 statement, in my mind.

19 I think a lot of people have talked
20 about the north site enough, but looking at your --
21 one of your slides there for your proposal, the east
22 site kind of option intrigued me a little bit,
23 because your proposal is to make Monticello a
24 two-lane road. Well, if you did that and went to
25 the east, there's plenty of room over there.

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1 There's more room there than there is on our site,
2 plenty of room for setbacks and all that.

3 And, also, if you expand to the east,
4 you would have your operational objectives met, too,
5 as far as separating everything. That road would be
6 easily crossed over by anybody just like your west
7 proposal for Granby. It wouldn't be any more busier
8 than Granby Street. Or you could have a tunnel from
9 here to -- it wouldn't really be that far.

10 MR. HEWELL: Just so I understand your
11 question, are you suggesting construction of the
12 annex on the other side of Monticello Avenue?

13 MR. BOLCH: Yes.

14 MR. HEWELL: Wouldn't that involve
15 interference with the Scope?

16 MR. BOLCH: No, absolutely not.
17 There's traffic lanes on there that work probably
18 half the time. You know, they could be the site of
19 this place. I mean, there's tons of room out
20 there. There is more room than there is to the
21 south. So I think maybe you guys could look a
22 little more into that. That was one comment.

23 And, also, it seems like there's two
24 different executive orders that you guys are kind of
25 bound by. One was --

1 MR. HEWELL: At least.

2 MR. BOLCH: -- the floodplain and at
3 the same time the historical aspects. So one of
4 those it seems like might have to win out over the
5 other. But this meeting is called to address the
6 historical aspects of any expansion. Well, it seems
7 to me there's only one site -- or one proposal that
8 really affects anything historic, and that's the one
9 that you-all are -- your preferred option, I guess.

10 But the case could be made that -- I
11 mean, that building is older than this one. You can
12 make the case that -- or argument that that is more
13 historic than this one, I mean, so I don't think
14 that one needs to be torn down, because I think
15 there are other options.

16 MS. GILLIAM: Can you give your name,
17 sir?

18 MR. BOLCH: Craig Bolch, B-o-l-c-h.

19 MS. ROSATO: Thank you. Thank you for
20 your comments, too.

21 MS. ALLEN-GRIMES: I don't need the
22 microphone. I'm Allison Allen-Grimes, 1913 North
23 Brandon Avenue. I'm a resident of Norfolk, and I
24 have a lot of concern about our continuing loss of
25 historic buildings in the city. Not only the

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1 federal courthouse and the Showcase Building, as has
2 been pointed out, this is a historic district and
3 whatever addition or expansion is made to the
4 building, it should use contact sensitive design
5 regarding the whole surrounding area. We cannot
6 afford to lose any more of the historic buildings
7 that are the fabric of our Downtown, and I'm opposed
8 to the removal or any alteration to the Showcase
9 Building.

10 A number of alternatives have been
11 suggested, going up, going to the east. If the city
12 wanted two lanes on Monticello Avenue rather than
13 four lanes, rather than going across to the east
14 side of the street, you could just go directly out
15 back of the building and put your annex on top of
16 where the street is now. Perhaps you can go to the
17 south side with your parking area and perhaps you
18 can incorporate part of the north side property for
19 parking or part of the operation in an annex.

20 I would disagree with those folks who
21 suggest that the courthouse completely relocate. If
22 this building is vacated, there's no assurance that
23 it would stay in Downtown Norfolk or that it would
24 even stay in the City of Norfolk. I think the
25 federal courthouse is an important part of the city

1 and important to the vitality of Downtown, and I
2 don't think any of us would want to see that
3 happen. And I guess that's all I have to say.

4 MS. GILLIAM: Can you spell your last
5 name?

6 MS. ALLEN-GRIMES: A-l-l-e-n hyphen
7 G-r-i-m-e-s.

8 MR. MALENDOSKI: I don't need a mike
9 either. Chris Malendoski. I'm from --

10 MS. GILLIAM: Excuse me. Can you spell
11 your last name?

12 MR. MALENDOSKI: Yes, sure, every
13 letter in the alphabet. It's M-a-l-e-n-d-o-s-k-i.

14 I just want to preface this by saying
15 we very much support and can understand the need in
16 today's climate to have a secure and
17 state-of-the-art facility, and that's why, you know,
18 we also -- our company's position is we would
19 support a new facility not just because we're part
20 of the development at 500 Granby.

21 And, by the way, it was called the
22 Showcase Building, but we should probably refer to
23 it now as The Lofts at 500. That's the official
24 name. It's a registered condominium in the State of
25 Virginia with 25 units. Most of the residences

1 already closed, and some of those residents are
2 actual servants in the government via the military
3 and other government agencies. So we're very
4 supportive of their needs and we're very patriotic
5 and we want to see the right things be done.

6 Having said that, it's a historic
7 building, an historic building, and so is this one.
8 If a wing was annexed down on the south side or even
9 across the west, it's going to ruin the scale from
10 one historic building, this one, it will destroy
11 another historic building and it will take away the
12 new corridor, that important little new corridor.
13 When the new park is constructed over here, you can
14 look over and see Scope and all that. It would
15 create kind of a megablock, and we are very much
16 against that.

17 So I would hope that we could use
18 reason and the utmost rational -- what makes the
19 most sense, the least amount of money to build the
20 best facility that you could have and go to the
21 north site.

22 The other thing I just wanted to
23 mention is that I have -- we have heard -- there's
24 rumors that one of the reasons why this building
25 doesn't want to be parted with, there are some

1 people who have sentimental attachments to this
2 building. Whether that's true or not -- if it's not
3 true, that's fine. If it is, we need to remind
4 ourselves that this is a public building and if
5 there's any public servants that work here that have
6 sentimental attachment, don't want to part with this
7 building because of -- that's not a legitimate
8 reason to look at other options. I thank you for
9 your time.

10 MR. HARTIG: Yes. My name is Dennis
11 Hartig. I'm from The Virginian-Pilot. I'd like to
12 follow up on Mr. Simmons' question about the square
13 footage requirements. Mr. Simmons -- I think your
14 answer to Mr. Simmons' question, you said it's an
15 expansion of 200,000 square feet and, as I
16 understand from his discussion, driven at least in
17 substantial part by the need for additional
18 courtrooms. But it's been recently reported that
19 the case loads in this district of court have gone
20 down.

21 Can you reconcile for us why, with the
22 declining case load, you're projecting 200,000
23 square feet in additional courtroom space?

24 MS. GILLIAM: Excuse me. I was going
25 to say I can talk to the media after. We've had

1 media sign in, so I will speak to the media after.

2 We're only taking questions from --

3 MR. HARTIG: Well, you never answered
4 our questions about this, so this is our appropriate
5 forum. We asked this question and --

6 MS. ROSATO: Excuse me. We'll answer
7 your question.

8 MR. HEWELL: It's a legitimate
9 question.

10 MS. GILLIAM: I was going to say he
11 said he would answer your question.

12 MR. HEWELL: No, I think questions
13 about the need for the expansion are fair. The
14 simple answer is that we build for 30-year
15 requirements and not for the case log, but I'd like
16 to offer Judge Morgan a chance to deal with your
17 question. Judge Morgan is a sitting judge here in
18 Norfolk. He's also on the national Space &
19 Facilities Committee of the courts and he's
20 intimately involved in the requirements.

21 MS. ROSATO: Judge.

22 JUDGE MORGAN: The decision to expand
23 the courthouse space is one that's based on national
24 need and statistics. We report each year our case
25 load, and it was decided ten years ago that we

1 needed this extra space. Our case load, if you want
2 a comparison, you can compare it to gas prices.
3 They fluctuate. But the long-term trend is
4 definitely up. And where you see a reduction in one
5 year, that's not going to continue. As the
6 population of the area grows, inevitably, so will
7 the case load of the courts.

8 So it was decided ten years ago that
9 Norfolk needed the space. We're part of the Eastern
10 District of Virginia, which includes a courthouse in
11 Alexandria, a courthouse in Richmond and a
12 courthouse in Newport News. The courthouse in
13 Alexandria was completed and opened in the early
14 '90s, I think '93 or '94.

15 The courthouse in Richmond, a brand new
16 courthouse in Richmond, is currently under
17 construction. There's a new courthouse that is in
18 the planning stages in Newport News. It's much
19 further along than this project. We're talking
20 about letting the contract go to construction for
21 the court. That one does not involve a significant
22 expansion. It's to replace the outmoded facilities
23 in an old post office building in Newport News.

24 But Norfolk did not -- was not awarded
25 a new courthouse. In other words, we do not have

1 Congress's permission to build an entirely new
2 courthouse, which would cost us considerably more
3 money than building an annex. We're only authorized
4 to build an annex.

5 Now, a lot has been said about the
6 taxpayer dollar and so forth and about the north
7 site. The major problem from the construction
8 standpoint and from the court function standpoint is
9 that a building on the north site would be an
10 entirely separate building. It would require a
11 duplication of all of the security personnel and
12 security equipment that we have here, which would be
13 an enormous expense.

14 A tunnel under Brambleton Avenue or a
15 pathway that goes over Brambleton Avenue is not
16 acceptable from a security standpoint. You could
17 not move witnesses, prisoners or anyone else in our
18 current climate of security through tunnels or over
19 passovers from one building to another. So they'd
20 have to operate as two entirely separate entities,
21 which not only would be an operational nightmare but
22 it would be -- the cost of security would really be
23 prohibitive.

24 If you went to the north site, you
25 would have to just build a whole new courthouse, and

1 we're not funded for that. And realistically even
2 though our statistics would probably support the
3 extra space, to get funding for a whole new
4 courthouse would be 15 or 20 years down the road,
5 and we need the space right now.

6 MS. ROSATO: Thank you, Judge.
7 Time for one more question.

8 MR. FURR: Just a brief comment. I'm
9 Carter Furr, a board member and past president of
10 the Norfolk Historical Society. This hearing, of
11 course, is on the question of the historical
12 significance of this project. I'd just like to
13 comment that the building on the south side, which I
14 have no interest in financially, goes back to -- I
15 understand to 1914 and is the oldest building in the
16 immediate vicinity of this courthouse. It should be
17 the last place that should be selected for
18 demolition for this project. I just wanted to make
19 that comment supporting some of the others comments.

20 MS. GILLIAM: We have one more comment
21 here.

22 MR. WRIGHT: Hi. I'm Bobby Wright,
23 co-developer of the building as well as a resident.
24 I own one of the condominiums and am presently
25 residing there. First of all, I'd like to say we

1 are very excited that GSA and the government has
2 selected the City of Norfolk for expansion. We do
3 treasure the court system here, the jobs and the
4 economic impact to the area, so it needs to be clear
5 and I think everyone here would support that we want
6 you here and we need you here. You've been here a
7 long time. You are part of the community. So
8 that's really not the issue.

9 The issue comes down to partnering with
10 the very community that you've resided within for so
11 long. As many people mentioned here, we've known so
12 little about this process and we had felt somewhat
13 shunned from the process. It even was noted by my
14 partner that we were not notified of the meeting.

15 But with that said, with that
16 excitement we always want to look for, how can we
17 work together and make this home good for business
18 and good for residents? Using the floodplain as one
19 of the reasons to totally discount the north really
20 flies in the face of probably other policies within
21 the federal government.

22 I'm not sure that this is one that's
23 still in place, but I worked with GSA quite a bit
24 with our former development company. And one of the
25 policies of the federal government was and still may

1 be that GSA can consider all urban buildings for
2 expansion before looking into the suburbs for
3 expansion.

4 The reason I bring that up, I'm not
5 sure that's the case now, but it seems to me that
6 set precedence that the spirit of our country and
7 our federal government has been to preserve old
8 structures and to invigorate the urban areas that
9 with the '50s, people left, and now we know that
10 they're so important. And we did another issue with
11 transportation and the reason that density is
12 important. So I'm just curious if the government
13 still sees through GSA's eyes the importance of
14 urban space and filling that space first. That's my
15 first question.

16 The second question, which kind of ties
17 into that, is the fact that the government has also
18 given incentives to developers and owners and buyers
19 such as ourselves to again come into these areas,
20 areas in which, you know, Granby Street six years
21 ago, some folks could let's say shoot a cannon and
22 hit no one. And so the government -- the spirit,
23 again, with the federal government was, Let's give
24 reason, let's give reason to bring people back.

25 So we have two policies, and I don't

1 know where they fall within the floodplain versus
2 these two, which is probably one, but it seems to me
3 there's two very good arguments right there being
4 made on why taking The Lofts at 500 makes no sense.
5 And that you say the 500-year floodplain, you have
6 to do this, and it's all politics. There are people
7 that will listen, because the folks who will listen
8 are elected, and they will listen to constituents,
9 given the opportunity to do so.

10 So I'm just curious whether those two
11 programs, if those are too easy -- well, the federal
12 tax credit and the state tax credit certainly exist,
13 but the one about promoting urban space and GSA
14 taking the first look at that, thus showing that
15 there is a value in keeping old buildings and a
16 value in filling them, a value in bringing economics
17 to the urban areas, where those two tie into the
18 argument. Thank you.

19 MR. HEWELL: Just to confirm what you
20 said, I don't know how far back you go in looking at
21 this, but the original executive order was 11512,
22 and I think that set the goal of locating federal
23 agencies in center cities. That was replaced by
24 12072, the other executive order, which essentially,
25 my word, paraphrasing, says that all federal

1 agencies should try to locate their offices in
2 central business areas unless there's an operational
3 reason why they have to be somewhere else. So,
4 yeah, I think you're right. I think it's still our
5 intention and our goal to support urban areas.

6 MS. ROSATO: You already asked a
7 question. I'd like to give anyone else an
8 opportunity who's interested. Yes.

9 MS. STONE: I'm Mary Stone. I'm
10 actually a resident of Norfolk. But I just had a
11 question. It's kind of a follow-up question to the
12 lady who mentioned using the east side. Is that if
13 the city were to agree to close that portion of
14 Monticello Avenue and do like we showed in that
15 first slide where you have an extension that butts
16 right up against this building, would that meet your
17 200,000-square-foot need and the requirement for a
18 50-foot setback on that other -- the Scope side?

19 MR. HEWELL: Well, the direct answer to
20 your question is probably yes, but I don't think we
21 can be cavalier about closing Monticello Avenue. I
22 mean, that would almost be for the city.

23 MS. ROSATO: We've got about ten more
24 minutes. Are there any other questions?

25 MR. MANDLE: My name is Rob Mandle.

1 I'm a planner by trade and a recent resident of
2 Norfolk. There's been a lot of talk of the street
3 crossing on Brambleton. You guys have already
4 expressed that you're willing to cross Granby on the
5 west side site. To what extent -- and I guess this
6 is a comment that hasn't really been addressed by
7 the individuals. What types of improvements and
8 changes does the City of Norfolk need to make to
9 Brambleton to make it an acceptable crossing such as
10 the north site, the wetlands or the floodplain issue
11 aside, could be an acceptable location?

12 MS. GILLIAM: Before we answer your
13 question, can I have your last name, please?

14 MR. MANDLE: Yes, Mandle.

15 MS. GILLIAM: M-a-n-d-e-l?

16 MR. MANDLE: L-e.

17 MR. DAVIDSON: I'm going to just try to
18 start with the answer to the question. Putting the
19 floodplain issue aside for a moment, there are at
20 least two things that need to be done with
21 Brambleton and with the courthouse. The first is
22 that Brambleton needs to be narrowed by at least 50
23 or 60 percent so that the dimension between the
24 north site and this courthouse is very substantially
25 less, as in the distance that we would have if we

1 went across Granby Street.

2 The second thing is that the reason the
3 west site works a little bit better architecturally
4 and from a planning standpoint is that it is
5 opposite the entrance to this building. That makes
6 a big difference in the way people relate to the
7 judicial complex, relate to the building. The way
8 the new facility will relate to this building makes
9 a big difference to the way we extend this, the
10 two -- the annex and this building. The north site
11 does not face the entrance to this building and
12 therefore will relate to it in a very, very
13 different way. That is, we don't really see that
14 site as part of this building at all and never will,
15 because it is not related to the entrance or to any
16 significant side of this building other than
17 architectural responses are our primary responses.

18 MS. GILLIAM: Okay, I see both of your
19 hands. I just want to make sure, is there anyone
20 who has not spoken or has asked a question who wants
21 to do so?

22 MS. ROSATO: I want to reiterate that
23 there will be forms as you leave the courtroom today
24 that you can submit your questions to. And, also,
25 we have our web site.

1 MS. GILLIAM: I think he had his hand
2 up first.

3 MR. MALENDOSKI: Chris Malendoski
4 again. We're to understand that there's 11- or 12
5 million that's been appropriated from Congress so
6 far, and so that would be barely enough to condemn
7 one of these properties. You're going to have to
8 still get funding to -- for construction for the
9 annex. Why not -- you could get a site up here for
10 free. Basically, the city will give it to you. Use
11 that money that's already been appropriated to this
12 building. Sell this building for a premium, and I
13 can guarantee you that if it gets back into the
14 private sector, the City of Norfolk and the Norfolk
15 Preservation Alliance will see to it that this
16 building is preserved and preserved in the right
17 way. And use all that money to -- in the
18 construction of a new facility rather than having to
19 wait 15 or 20 years.

20 Again, as my boss said just a minute
21 ago, there are -- Congress -- you know, you guys are
22 connected with Congress. We are, too. They will
23 listen. They will listen to your concerns and
24 they're going to do the right thing. Long story
25 short, going south or west is the wrong thing, the

1 wrong thing.

2 MS. ROSATO: There's a question here
3 and a question there. Just in order.

4 MR. SIMMONS, JR.: Well, I want to ask
5 a question. You mentioned that it looks like it
6 will never be considered a part of the building.
7 I'm hoping that you're not saying you're ruling out
8 the north side as part of the consideration.

9 And the second point is with the
10 expense issue, as Chris has pointed out and some
11 other people have mentioned, by the time you buy out
12 24 homeowners, a restaurant and everything else,
13 purchase the land, demolish the building or
14 refurbish the building versus take a building that
15 I'm sure the city would knock down for you on the
16 Greyhound site, give you the site free, you save
17 20-, \$25 million in doing that.

18 I'm asking why has the option not been
19 considered of building an entire courthouse complex
20 of 400,000 square feet? Because if you can do it at
21 the same price as the annex of \$80 million, I bet
22 you Senator Warner and Senator Allen and everybody
23 else would jump right on board and say thank you for
24 finding a solution here. But if that option is
25 never investigated -- and it doesn't sound like it

1 has been -- to build a completely new structure and
2 how much it would cost -- now, maybe I'm wrong, but
3 in the questions earlier, it was never investigated
4 and addressed, then there's no way you can rule that
5 option out feasibly.

6 MR. HEWELL: To confirm what you said,
7 now, as I said earlier, we have not studied the
8 construction of a 400,000-square-foot entirely new
9 building on the north site. We have not
10 considered -- we have not investigated at this point
11 beyond initial budget estimates the construction of
12 a 400,000-square-foot building anywhere, because the
13 priority -- the goal of the project was to retain
14 the Hoffman Courthouse.

15 And I will also repeat something I said
16 earlier. If we for some reason ended up deciding to
17 build an entirely new courthouse, we would look at
18 other sites besides these sites at that time, and at
19 that point it's a whole new project. At this point,
20 we are not authorized nor mandated to do that.

21 MR. PERREAULT: I just wanted to
22 respond to the response to the question about
23 Brambleton Avenue and what could be done.
24 Brambleton Avenue is not that wide. I defy you to
25 go to any major city in the United States that is

1 thought to be a very liberal and pedestrian-friendly
2 city. You can go to Paris, you can go to Rome, you
3 can go to Washington, D.C., New York City and
4 Boston. They have streets that are much wider than
5 Brambleton that manage to function as unified
6 streets.

7 And I understand that there has been a
8 leading architect that looked at this and he is of
9 the opinion that by building a structure in the
10 parking lot, compatible structure in the parking lot
11 of this building to the north, that could function
12 as an atrium or a building leading to the Brambleton
13 crosswalks to get to the building on the other
14 side. In other words, you wouldn't leave the north
15 end of the Hoffman Courthouse like it is, a parking
16 lot, if you would build an annex north of
17 Brambleton. You would build a building that was
18 specifically designed to fit with the courthouse and
19 lead and act as a unifier to the building on the
20 north side.

21 So this could be done, and you could
22 even include some functions in that addition on the
23 north side of the building that you want in this
24 side and want what you put on the other side.

25 MS. GILLIAM: Can we have your name

1 again?

2 MR. PERREAULT: Mark Perreault.

3 MS. GILLIAM: Mark Perreault.

4 MS. ROSATO: There's one more. And
5 this remark will close the session for today.

6 Can we have your name again?

7 MR. HUNTER: Yes, it's Blount Hunter.

8 Would you describe for us, please, in general the
9 role of the influence of the current generation of
10 judges on the selection of a site, not the need for
11 an expansion but for a site-specific selection
12 decision?

13 MR. HEWELL: The role of the judges in
14 Norfolk is the role of our client. We are -- the
15 selection of a site for the courthouse is a GSA
16 decision. We would certainly consider the opinions
17 of the judges here, and we consider the opinions of
18 our customer. I'm not sure exactly what your
19 question is, but --

20 MR. HUNTER: Well, it actually gets to
21 who's the customer here? You could have perhaps had
22 the same meeting with ten judges today if they're
23 your customers.

24 MR. HEWELL: Well, they will be the
25 tenant of whatever we build. That's what I mean

1 when I say the customers. Using current lingo
2 probably would be what's considered to be
3 stakeholders. Certainly, in the historic community,
4 the residents of the neighborhood, the people who
5 would be affected by the project are significant
6 stakeholders and are certainly also part of the
7 process. That's why the group met.

8 MS. ROSATO: Okay. I'd like to thank
9 you all for coming today. I'd like to mention again
10 that there are comment forms on your way out of the
11 courtroom here. And, also, please use the web site
12 for comments and questions.

13 I'd like to thank you for the respect
14 that you've shown us today in your questions and the
15 manner in which you asked them. It's very important
16 to us. And, again, we will be answering every
17 question that you pose to us either on the web site
18 or through the comments form. Thank you very much.

19 MR. MORRELL: Just a quick
20 clarification, it's not a web site. It's an e-mail
21 address.

22 MS. ROSATO: I'm sorry. It's an e-mail
23 address.

24 (The hearing was adjourned at 12:57
25 p.m.)

Appendix C
Rights and Benefits Under the
Uniform Relocation Assistance Act

Rights and Benefits Under the Uniform Relocation Assistance Act

A. INTRODUCTION

Government programs designed to benefit the public as a whole may result in the acquisition of private property, and sometimes in the displacement of people from their residences, businesses, or farms. As a means of providing uniform and equitable treatment for those persons displaced, the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970* (42 USC Section 4601, et seq.) and the appendix has been prepared to assist those persons who may be displaced as a result of a Federal undertaking by providing general information regarding relocation assistance advisory services and relocation payments. Further information regarding relocation policies and provisions is available from the General Services Administration.

B. RELOCATION ASSISTANCE ADVISORY PROGRAM

In general, the Agency that undertakes an action leading to the displacement of any person, business or farm offers advisory services and administers benefits locally under the URA. A displaced person is defined as any individual, family, partnership, association or corporation, including farms and nonprofit organizations, that moves from real property as a direct result of the following:

- The acquisition of real property, in whole or in part;
- A written notice of intent from the Agency to acquire;
- The initiation of negotiations for the purchase of the real property by the Agency; or
- A written notice requiring a person to vacate real property for the purpose of rehabilitation or demolition of the improvement(s), provided the displacement is permanent and the property is needed for a Federal or Federally assisted program or project.

As soon as feasible, a person scheduled to be displaced shall be furnished with a general written description of the Agency's relocation program. The relocation program must, at a minimum, accomplish the following:

- Inform the person that he or she may be displaced for the project and generally describe the relocation payment(s) for which the person may be eligible, the basic conditions of eligibility, and the procedures for obtaining the payment(s);
- Inform the person that he or she will be provided with reasonable relocation advisory services;

- Inform the person that he or she will not be required to move without at least 90 days advance written notice and inform any person to be displaced from a dwelling that he or she cannot be required to move permanently unless at least one comparable replacement dwelling has been made available; and
- Describe the person's right to appeal the Agency's determination as to a person's application for assistance.

The Agency may issue the notice no less than 90 days before it expects the person to be displaced. The notice shall state either the specific date or the earliest date by which the occupant may be required to relocate, or state that the occupant will receive a further notice indicating, at least 30 days in advance, the specific date by which he or she must relocate. If the 90-day notice is issued before a comparable replacement dwelling is made available, the notice must state clearly that the occupant will not have to be relocated earlier than 90 days after such a dwelling is made available.

The Agency will also provide a relocation counselor or other reasonable relocation advisory services to supply information to displaced persons. The relocation counselor is required to interview displaced persons personally in order to do the following:

- Determine their needs and preferences in replacement properties;
- Explain relocation benefits;
- Explain that the person cannot be required to move unless at least one comparable replacement property is made available;
- Provide current and continuing information on the availability, purchase price, and rental costs of comparable properties;
- Provide the amount of the replacement housing payment in writing;
- Inspect houses for decent, safe, and sanitary acceptability;
- Supply information on other Federal and state programs offering assistance to displaced persons; and
- Provide counseling to minimize hardships.

The Agency shall carry out the relocation assistance advisory program in a manner that satisfies the requirements of Title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq.), Title VIII of the Civil Rights Act of 1968 (42 USC 3601 et seq.), and Executive Order 11063 (27 FR 11527, November 24, 1962) as amended by Executive Order 12259 (46 FR 1253).

C. MOVING COSTS

1. Individuals and Families

Regarding moving costs, displaced individuals have the option to be paid in one of two ways: in actual reasonable moving costs or according to a fixed moving cost schedule.

a. Actual Reasonable Moving Costs

The displaced individual or family has the option of being compensated for actual reasonable moving costs by a professional plus moving expenses, or for moving himself. Reimbursement will be limited to a 50-mile distance in most cases. Related expenses may include the following:

- Packing and unpacking personal property;
- Disconnecting and reconnecting household appliances;
- Temporary storage of personal property;
- Insurance while property is in storage or transit;
- Transfer of telephone service and other similar utility reconnections; and/or
- Other expenses considered eligible by the Agency.

To be entitled to reimbursement, all expenses must be considered necessary and reasonable by the Agency and must be supported by paid receipts or other evidence of expenses incurred.

b. Fixed Moving Cost Schedule

A fixed moving cost schedule is established for each state of residence. The amount of the payment is based on the number of rooms in the displaced dwelling. The relocation counselor will advise on the actual amount of payment that the displaced person will be eligible to receive under this option. The schedule is designed to include all of the expenses incurred in moving, including those services that must be purchased from others. Receipts and other evidence of expenses are not necessary for payment under this option.

2. Businesses, Farms, and Nonprofit Organizations

a. Actual Reimbursable Moving Costs

Action reasonable moving expenses may be paid when the move is performed by a professional mover or if the displaced entity moves itself. Actual reasonable moving costs include personal property losses, expenses in finding a replacement location, and re-establishment expenses. All expenses must be documented to qualify for payment.

b. Fixed Payment (in Lieu)

Displaced entities may be eligible for a fixed payment of not less than \$1,000 or more than \$20,000 in lieu of the payments noted above. The fixed payment is based on a two-year average of the annual net earnings of a business or farm operation. To qualify for a fixed payment, certain conditions must be met. The Agency must determine that:

- The business owns or rents personal property that must be relocated due to the displacement;
- The business cannot be relocated without a substantial loss of its existing patronage;
- The business is not part of a commercial enterprise having more than three other businesses engaged in the same or similar activity that are under the same ownership and are not being displaced by the Agency; and
- The business contributed materially to the income of the displaced business operator during the two taxable years prior to displacement.

Any business engaged solely in the rental of space to others is not eligible for a fixed payment. This includes the rental of space for either residential or business purposes.

D. REPLACEMENT HOUSING

1. Comparable Replacements

Replacement housing should be the functional equivalent of the displaced housing. However, this does not mean the replacement housing should be identical to the displaced dwelling. A comparable replacement dwelling should be capable of contributing to a comparable style of living and should contain amenities similar to those found in the displaced dwelling. The replacement dwelling should also be:

- Adequate in size to accommodate the occupants;
- Located in an area that is not less desirable than the displaced person's present location with respect to public utilities and commercial and public facilities;
- Located in an area that is not subject to unreasonably adverse environmental conditions;
- Reasonably accessible to the displaced's place of employment;
- Located on a site that is typical in size for residential development with normal site improvements;
- Currently available on the private market; and
- Within the financial means of the displaced person.

Where possible, three or more comparable replacement dwellings shall be made available. A comparable replacement dwelling will be considered to have been made available to a person if:

- The person is informed of its location;
- The person has sufficient time to negotiate and enter into a purchase agreement or lease for the property; and
- Subject to reasonable safeguards, the person is assured of receiving the relocation assistance and acquisition payment in sufficient time to complete the purchase or lease of the property.

2. Decent, Safe, and Sanitary Housing

Replacement housing must be decent, safe, and sanitary (DSS), which means that it meets all minimum Federal regulations and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weathertight, and in good repair;
- Contain a safe electrical wiring system adequate for lighting and electrical appliances;
- Contain a heating system capable of sustaining a healthful temperature (of approximately 70 degrees Fahrenheit) except in those areas where local climatic conditions do not require such a system;
- Be adequate in size with respect to the number of rooms and area of living space to accommodate the displaced person(s);
- Contain a well-lit and well-ventilated bathroom providing privacy to the user and containing a sink bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate potable water source and sewage system;
- Contain a kitchen area with a fully usable sink, properly connected to a potable hot and cold water source and a sewage system, with adequate space and utility connections for a stove and refrigerator;
- Have unobstructed egress to safe, open space at ground level; and
- Be free of any barriers that prevent reasonable ingress, egress or use of the dwelling in the case of a person with a disability who is displaced.

E. REPLACEMENT HOUSING PAYMENTS

1. Purchase Supplement

Owners who were in occupancy 180 days or more prior to the initiation of negotiations may be eligible for a purchase supplement up to a total of \$22,500 or a rental assistance payment

up to \$5,250. To qualify the displaced person must purchase and occupy a DSS replacement dwelling within one year from displacement or vacating or the effective date of vacating pursuant to notice. The purchase supplement includes the following.

a. Price Differential

The price differential payment is the amount by which the cost of a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment is in addition to the fair market acquisition price paid for the property. For example, if the acquisition cost of the displacement property is \$100,000, and the Agency computes the cost for a comparable DSS replacement property as \$116,500, the price differential payment would be \$16,500. However, if the displaced person paid \$120,000 for new housing when the Agency computed \$116,500 as the cost of a comparable replacement, the displaced person would be responsible for the \$3,500 difference between \$116,500 and the excess purchase price.

b. Increase Mortgage Interest Costs

If the acquired dwelling was encumbered by a bona fide mortgage for at least 180 days prior to the initiation of negotiations, the displaced person may be reimbursed for increased mortgage interest costs if the interest rate on the new dwelling exceeds that on the existing mortgage.

c. Incidental Expenses

The displaced person may also be reimbursed for other reasonable expenses associated with closing title on the replacement property, such as a title search, recording fees, and termite and structural inspections, but not prepaid expenses such as real estate taxes and property insurance.

2. Rental Assistance

Owner-occupants and tenants of 90 days or more may be eligible for a rental assistance payment. To be eligible for a rental assistance payment, tenants, and owners must have been in occupancy for at least 90 days immediately preceding the initiation of negotiations for the acquisition of the property.

This payment is available if the cost of rent and utilities for a comparable DSS replacement dwelling is higher than the displaced person has been paying. To qualify, the displaced must rent and occupy the DSS replacement dwelling within one year. The Agency will determine the maximum payment to which the displaced is eligible. The rental assistance payment will be paid in a lump sum unless the Agency determines that the payment should be paid installments. Total payment may be up to \$5,250 for a 42-month period.

3. Downpayment

Owner-occupants of 90 to 179 days and tenants of 90 days or more may be eligible for a downpayment and incidental expenses, not to exceed \$5,250. The Agency will determine the maximum downpayment that the displaced may be eligible to receive based on its computation for rental assistance payment, or a maximum of \$5,250. The combined amount of downpayment

and incidental expenses (title search, recording fees, etc.) cannot exceed the maximum payment of \$5,250.

F. HOUSING OF LAST RESORT

In event that an adequate supply of replacement sale or rental housing is not available to the displaced, the Agency is authorized to provide replacement housing through the administrative process known as Housing of Last Resort. If comparable DSS housing is not available, or it is not available within the maximum \$5,250 or \$22,500 payment limits, it must be provided before any displacement can occur. The Agency may provide the necessary housing in a number of ways, including the following:

The purchase of an existing comparable residential property, making it available to the displaced person in exchange for the displacement property;

The relocation and rehabilitation (if necessary) of a dwelling purchased from the project area by the Agency and making it available to the displaced;

The purchase of land and the construction of a new replacement dwelling comparable to a particular displacement property when comparable replacement dwellings are not otherwise available;

The purchase of an existing dwelling, removal of barriers and/or rehabilitation of the structure to accommodate a handicapped displaced person when suitable comparable replacement dwellings are not otherwise available;

A replacement housing payment in excess of the maximum \$5,250 or \$22,500 payment limits; or

A direct loan that will enable the displaced person to construct or contract for the construction of a DSS replacement dwelling.

All eligible displaced persons have freedom of choice in the selection of replacement housing, and the Agency will not require an displaced person, without his/her written consent, to accept a replacement dwelling provided by the Agency. If a displaced person decides not to accept the replacement housing offered by the Agency, the displaced person may secure a replacement dwelling of his/her choice, provided that it meets DSS housing standards.

G. BUSINESSES, FARMS, AND NONPROFIT ORGANIZATIONS

1. Direct Losses of Tangible Personal Property

Displaced businesses, farms, and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property incurred as a result of the move or discontinuance of the operation. This payment will be based on the value of the item for continued use at the displacement site less the proceeds from its sale or the estimated cost of moving the item, whichever is less.

2. Searching Expenses for Replacement Property

Displaced businesses, farms, and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$1,000. Expenses may include transportation, meals and lodging when away from home; the reasonable value of time spent during the search; fees paid to real estate agents, brokers or consultants; and other expenses determined to be reasonable and necessary by the acquiring agency.

A small business, farm or nonprofit organization may be eligible for a payment not to exceed \$10,000, for expenses actually incurred in relocating and re-establishing the enterprise at a replacement site. To qualify, the business, farm or nonprofit organization must have at least one but not more than 500 employees working at the site being affected who will be displaced by a program or project.

a. Re-establishment Expenses

Re-establishment expenses may include, but are not limited to, the following:

- Repairs or improvements to the replacement real property required by Federal, state or local laws, codes or ordinances.
- Modifications to the replacement real property to make the structure(s) suitable for the business operation.
- Installation of exterior advertising signs, not to exceed \$1,500.
- The cost of installing utilities from the right-of-way line to the structure(s) or improvements on the replacement site.
- Redecoration or replacement such as painting, wallpapering, paneling, and carpeting when required by the condition of the replacement site.
- The cost of license fees and permits when not covered as a moving expense.
- Marketing studies, feasibility surveys, and soil testing.
- Advertising the new business location, not to exceed \$1,500.
- Professional real estate services needed for the purchase or lease of a replacement site.
- The estimated increased costs of operation at the replacement site during the first two years, not to exceed \$5,000, for items such as the following:
 - Lease or rental charges;
 - Personal or real property taxes;
 - Insurance premiums; and

- Utility charges (excluding impact fees).
- One-time assessments or impact fees for anticipated heavy utility usage.
- Other items that the Agency considers essential for the re-establishment of the business or farm.
- In certain circumstances, at the discretion of the Agency, re-establishment costs that exceed the maximums noted above may be considered eligible if excessive costs are encountered at the replacement site.